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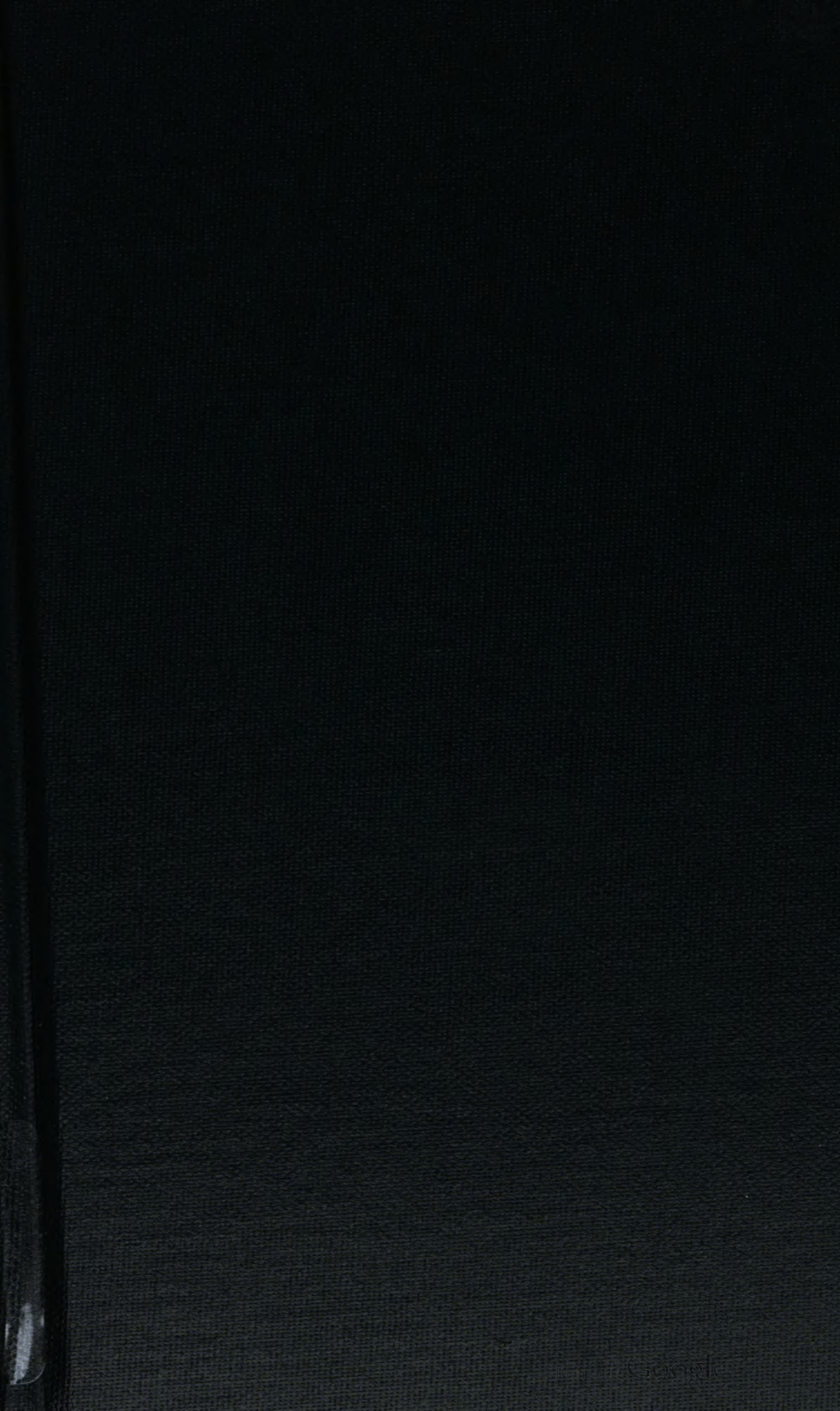
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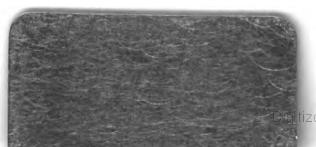
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A HISTORY  
OF  
THE INNS OF COURT  
AND CHANCERY.



**A HISTORY**  
**OF THE**  
**INNS OF COURT**  
**AND CHANCERY;**

**WITH**  
**NOTICES OF THEIR ANCIENT DISCIPLINE,**  
**RULES, ORDERS, AND CUSTOMS, READINGS, MOOTS, MASQUES,**  
**REVELS, AND ENTERTAINMENTS;**

**INCLUDING AN**  
**ACCOUNT OF THE EMINENT MEN**  
**OF THE FOUR LEARNED AND HONOURABLE SOCIETIES,—**  
**LINCOLN'S INN, THE INNER TEMPLE, THE MIDDLE TEMPLE,**  
**AND GRAY'S INN,**

**&c.**

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## P R E F A C E.

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IT has been my endeavour, in the following pages, to present to the reader every authentic particular known relative to the early history of the Inns of Court, and the houses of Chancery subordinate to them. All the early authorities who have written on this subject, and such statutes and records as illustrate the history of the legal profession in this country, together with the monuments and tablets in the halls and chapels of the four Inns of Court, and such manuscript collections as contained matter bearing on my subject, have been carefully reviewed and examined.

I have been desirous of collecting as copious and as exact an account as practicable of the Ancient Readings in the Four Inns, as an exhibition of those readings cannot fail to stimulate the cause of legal education, to

which happily attention has now become alive. In the chapters on 'Masques' and 'Revels,' the reader will find accounts of the recreations with which the severer studies of ancient times were tempered.

All the rules, orders, and regulations now in force respecting admission, keeping terms, calls to the bar, &c., have been ascertained from official documents and personal inquiry in the treasurers' and stewards' offices of the Four Societies, where every facility has been most politely afforded me.\* I have also derived important assistance from the Registers of the Inns in my researches respecting the eminent men of the Middle Temple, Inner Temple, Gray's Inn, and Lincoln's Inn, which form as illustrious a gallery as any university

\* While the last sheet of this work was passing through the press, the following important regulation was promulgated in Lincoln's Inn :—

“ LINCOLN'S  
INN. } At a Special Council held the 8th Nov. 1847,

“ Resolved, that Students of this Inn, having attained the age of twenty-three years, may be called to the Bar after the expiration of five years from admission, twelve Terms having been kept, nine Exercises performed, and Certificate produced of attendance on two courses of Lectures. Masters of Arts, and Bachelors of Law, of the Universities of Oxford, Cambridge, or Dublin, and Students of this Inn, not being Graduates, but who,



of Europe can boast of ; and I am much obliged to members of the four houses who have afforded me suggestions from time to time.

The substance of every case of importance decided in the superior courts, respecting the jurisdiction, powers, and privileges of these societies, as well as all the remarkable cases illustrative of the internal discipline of the Inns of Court, will be found in this volume. I can scarcely hope that I have done full justice to my subject, and that I have omitted no point that ought to have demanded my attention ; but I may be permitted to say, that I have devoted a considerable portion of time to the preparation of the work, and have taken some pains to secure fidelity and accuracy ;

on their own application, are examined in Law, and pass a sufficient EXAMINATION, having complied with the requisitions in respect of Terms, Exercises, and Certificate, may be called after the expiration of three years.

“ Resolved, that the present rule do come into operation on the last day of this Term, and that the Students admitted before that day have the option of being Called to the Bar according to the regulation now in force.

“ Resolved, that this order be communicated to the other Inns of Court.”

(A Copy)

“ M. DOYLE, Steward.”

and that, with a sincere desire for the honour and interests of these ancient, honourable, and learned Societies, I have endeavoured to exhibit the history of each faithfully, and without bias.

TEMPLE,  
Mich. Term, 1847.

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# HISTORY

OF

## THE INNS OF COURT,

&c.

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### CHAPTER I.

#### EARLY SCHOOLS OF LAW IN ENGLAND.

It is impossible to fix with certainty the period when the professors and students of the common law first began to associate themselves together as a society, and form themselves into collegiate order; or to assign an exact date to the foundation of the Inns of Court, the original institution of which nowhere precisely appears. There were persons learned in the law, and skilful in pleading causes, professionally employed as early as the reign of William Rufus; and in the time of Stephen the municipal laws were, we are informed, studied in monasteries, seminaries, and families of distinction. The civil law, which the clergy had exerted themselves to introduce into England, being unpalatable to the nation, many persons, at a very early date, devoted themselves with



zeal and diligence to the study of the common law, or, as it was called emphatically, the law of the land; which we know was taught in the city of London, prior to 19 Hen. III., by learned men of the law, who set up schools for that purpose. After the fixing of the Court of Common Pleas by Magna Charta, the practitioners of the municipal law took up their residence in houses between the king's courts at Westminster and the city of London,—forming then one community; and before the end of the reign of Edward II., they appear to have divided themselves into separate inns or colleges, at Temple Bar, Lincoln's Inn, and Gray's Inn.

In the time of the republic in ancient Rome, it was the practice for youths who designed to study jurisprudence, and adopt the profession of the law, after finishing the usual course of study in grammar, Grecian literature, and philosophy, to attach themselves as pupils to some of the eminent lawyers of the day, whose houses they frequented, and whom they attended in public, in order to profit by their example and experience,—nearly in the same way as students of the English law, at the present day, enter the chambers of barristers and special pleaders, whose precedents they copy, and whose practice they observe. Those lawyers who were distinguished for their legal knowledge were consulted at their own houses; they frequently delivered their opinions *viva voce*, sometimes in writing. In difficult cases they were accustomed to meet in deliberation near the temple of Apollo, in the

forum, and after consultation pronounce a joint opinion. Students of the Roman law were called *studiosi juris, vel jurisprudentiæ*. Lawyers were termed *advocatus, causidicus, jurisconsultus, jurisperitus*, &c. Under the emperors, lawyers were permitted to take fees from their clients after the conclusion of the cause—*honorarium, certam justamque mercedem*; to which practice may be traced the mode of remunerating counsel which has been customary in England for many centuries. Schools for instruction in the law were opened by Cassius and other eminent lawyers, the students being called *auditores*. Notwithstanding the occasional intrusion of base and venal men into the profession of jurisprudence in Rome, it was held in high respect. Cicero describes the house of an eminent lawyer as the oracle of the city; Pliny terms the profession of the law the most honourable of all professions; and the Emperor Justinian immortalised his name by promoting its study, conferring upon its professors numerous rewards and distinctions. Schools of law were founded by the emperors in Rome, Constantinople, and Berytus, the latter of which was much celebrated in the East from the third to the sixth century. The period of study at those schools was five years; after which probation the students were scattered through the various provinces practising the law, and frequently rising to posts of trust and dignity. Students were during the first year called *Dupondii* or *Justiniani novi*; their studies being confined to the 'Institutes' and the first

four books of the 'Digests.' The second year they were called *Edictales*; and studied the second and third parts of the 'Digests.' Students in the third year were called *Papinianistæ*, being occupied with the fourth part of the 'Digests.' The fourth year they were styled *Lytæ*, taking the remainder of the 'Digests;' and the fifth and last year *Prolytæ*, studying the code. In every colony into which the Roman laws and customs were introduced, the study of jurisprudence was cultivated, and the law practised by professional advocates. Juvenal points to Gaul and Africa as places which had already given birth to lawyers:—

“ Accipiat te  
Gallia, vel potiùs *nutricula causidicorum*  
Africa, si placuit mercedem imponere linguæ.”

Under the Emperor Claudius Cæsar, A.D. 49, the Roman system of jurisprudence was introduced into Britain. The inhabitants soon began to adopt the manners of their invaders; they affected Roman dress, Roman language, Roman rhetoric, and Roman pleasures:—

“ Nunc totus Graias nostrasque habet orbis Athenas.  
*Gallia causidicos docuit facunda Britannos* :  
De conducendo loquitur jam rhetore Thule.”

For the space of about three hundred and sixty years, from Claudius Cæsar to the withdrawal of the Romans from Britain in the reign of the Emperor Honorius, the Roman law flourished in this island; and its study was promoted under some of the most eminent lawyers; among others Papinian, Paulus, and Ulpian, whose decisions are collected in the body of the civil

law, and the former of whom sat as a minister of justice at York.

After the withdrawal of the Romans and the settlement of the Saxons in this country, all traces of the laws of Rome were obliterated, and they were succeeded by Saxon, Danish, and Norman customs. Justice was administered in each county by the sheriff, or alderman, of the county, in conjunction with the bishop of the diocese, who was associated with him as his monitor and assistant. At certain intervals they held jointly in every hundred, the Tourn, the grand criminal court, in which all offences both lay and ecclesiastical were tried. Every fourth week a county court was held for the dispatch of civil causes. The freeholders of the county were the judges in this court; the sheriff presiding, assisted, when necessity required, by the bishop. No stated form of pleading appears to have been in use at this time: some of the legal formulæ of the Anglo-Saxons are said to have been in verse, and the conveyance of land was effected by the delivery of horns and similar symbols, one of which interesting relics is still preserved among the muniments in York Minster. There were, however, some who possessed intimate acquaintance with the laws of the land, in behalf of which they exhibited their zeal and attachment on the introduction of the Norman customs; and the office of counsel, there is reason for presuming, was not unknown to the Anglo-Saxons.\*

\* "*Quisque causam suam sine solennioribus juris formulis,*

In the 'Miroir Aux Justices,' a book of great authority, compiled about the time of Edward I., from a work supposed to have existed before the time of Edward the Confessor, to which it will be necessary to refer more particularly hereafter, it is recorded, that the following was set forth in the rolls of the time of King Alfred as a ground of an appeal, *i. e.* accusation of treason: "Whereas he ought to have spoken truly for him in such a case, the said Dirling did ill advise him, or speak against him in such a point." And the 'Miroir,' in another place, treating of the crime of majesty, or imagining the king's death, says: "And in full parliament let the accuser, by himself or by a *serjeant*, prefer his accusation, according as it was done in the time of King Edmond, when Rocelyn appealed Wal-ligrot."

Among the Lombards and the Franks, and throughout the German tribes generally, in the middle ages, the use of professional advocates or pleaders prevailed. There was a law among the Lombards, that, if any person from incapacity knew not how to plead his own cause before the legal tribunals, the king or the judge was empowered, at his discretion, to assign to him an advocate—"dare ei hominem qui causam ipsius agat." In the 'Assizes du Royaume de Jeru-

vel ipse agebat, vel *causidicum* et patronum sibi adscivit; quem amicitia, quem propinquitas, quem charitas, aut benevolentia—vel denique quem sors ipsa nonnunquam obtulerit."—Hickes, Thes. Diss. Epist., p. 8.

saalem,' compiled from the laws of France about the year of our Lord 1099, and exhibiting a state of things anterior to that date, a most interesting and curious account of the duties and qualifications of counsel occurs. It appears from this authentic record of the jurisprudence of the mediæval era, that the names of counsel (*conseil*) and pleader (*pleidoir*) were known and in general use in those early times, and that the office of counsel, nearly as it is now practised, was exercised in Normandy before the Conquest: "Every person about to plead in the supreme court ought, before he begins, to pray the lord to appoint him counsel. He ought to pray for his counsel the best pleader in the court; and this whether he is himself a pleader or not; because in the latter case he will need counsel to defend his right and establish his claim or defence: and even in the former he will do well to have counsel; since there is no pleader so wise that he may not be often advised on his pleading by another pleader; as two pleaders know more than one, &c. He who has counsel, and wishes to make claim on some man or woman present in court, ought to say by his counsel to the lord, so that the other party may hear, 'Sir, such an one makes before you such a claim, and hopes to obtain justice in that behalf from you and the court;' and then he should say what he claims, and in the shortest way possible, &c. A good pleader ought to have good sense, a sound understanding, and a subtle genius; he should be free from the faults of indecision, timidity, false

shame, haste, and nonchalance; while he pleads he should keep his attention from wandering to any other subject, and should also take care to avoid undue heat and asperity.”\*

After the accession of William of Normandy to the throne of England, an extensive change took place in the laws of this island. The Norman system of jurisprudence was transferred to this country; all the proceedings in the King's courts were carried on in the Norman French, instead of the English language; a practice that prevailed till the statute of 36 Edward III.; the constitution of the courts of justice was remodeled; the tenure of landed property was entirely changed; the rules by which personal property was governed were extensively modified; and a new order of things with respect to the rank and condition of every class in the nation was established. The nature of feudal services and tenures, with their long train of appendages, the consequences of neglecting the various duties appertaining to them, and the method of enforcing the duties and services due from the tenant to the lord, became the most material and intricate part of legal learning; and the technical rules of the Norman lawyers were rigidly enforced by the Norman justiciars appointed by the Conqueror. Fines were inflicted *pro stultiloquio* and faulty pleading; which were at length suppressed by the statute of Marlbridge, which prohibited exactions for *beau pleader*.

\* “ Assizes de Jerusalem ; Obs. sur l’Hist. de France,” Mably, vol. ii. p. 346 : cited in Steven’s Pl. n. 8, xv.



A few scattered notices exist of the lawyers of England at the time of the Conquest. In a suit between Odo Earl of Kent and Lanfranke Archbishop of Canterbury, Algerc Bishop of Chichester appeared as a proficient in the common law—*legum terræ sapientissimus*—to discuss and instruct the court in the ancient laws and customs of the land.\* In the fourth year of the Conqueror's reign, we are told by Hoveden and the Litchfield Chronicle, that William solemnly swore in the presence of the Archbishop of Canterbury at Berkhamstead, that he would observe the good and approved ancient laws of the kingdom, particularly those of Edward the Confessor. He appointed in each county a commission of twelve Saxons,—nobles, wise men, and *men learned in the Saxon laws*,—*Anglos nobiles et sapientes et sua lege eruditos*.† These *lege sua eruditi* were, according to Selden, the common lawyers of that time. In the same reign there were several monks living at Abingdon, distinguished for their legal attainments,—*legibus patriæ optime instituti*,—among whom three are especially mentioned by name in the book of Abingdon, Alfwin, Sacolus, and Godric,‡ who were consulted by persons from different parts of the country. “These, and divers other common lawyers,” observes Selden,§ “then lived in the abbey of Abingdon;” adding, “You must know that in those days every monk here in England that would, might remain

\* Ex text. Roff. Dug. Orig.

† Hale's Hist. C. L.

‡ Dug. Orig. et Seld. Op.

§ Seld. Op. vol. iii., 1334.

so secular, that he might get money for himself, purchase or receive by descent to his own use: and therefore it was fit enough for practising lawyers to live in monasteries. But what had those *præteritorum memoria eventorum* (that is, reports and adjudged cases of the Saxon times) availed in their skill, if the former laws had not continued."

The observation of William of Malmesbury\* respecting the union of the ecclesiastical and legal professions in the reign of William Rufus has passed into a proverb: *Nullus clericus nisi causidicus*. The venerable historian speaks with contempt of a lawyer of the clerical order named Ranulfus, whom he calls *invictus causidicus*; censuring with some severity the manners of the age—"Nullus dives nisi nummularius, nullus clericus nisi causidicus, nullus presbyter nisi (ut verbo parum Latino utar) firmarius."† Many of the judges of the king's courts were also selected from the Church. Hugh de Bocland, Justice of England in the reign of King Henry the First, was a canon of St. Paul's Cathedral, London. Henry, who acquired the name of Beau-clerc, or the scholar, confirmed the laws of Edward the Confessor, as accepted by the Conqueror; and is also supposed to have published a collection of laws, still called the laws of King Henry I., which are entered in the Red Book of the Exchequer. Law had now become a science, which required much study and application, and it was chiefly in the hands of

\* De Will. Sec. lib. iv. p. 123.

† A farmer.

Normans, who introduced into this country the subtleties current in the courts of Normandy.

In the turbulent reign of Stephen, the Roman, or civil law, the study of which was zealously promoted by the clergy, after the finding of a complete copy of the Pandects at Amalfi, A.D. 1137, was introduced into England; and Vaccarius, who appears to have studied at Bologna, about the date A.D. 1149, began to read lectures at Oxford on the canon and civil law, which were now very generally allied together. The new doctrines met with strong opposition from the barons and laity, including the citizens of London,—an opposition which was never relaxed till the parliament of Merton solemnly repudiated the civil law, declaring they were unwilling that the ancient laws of England should be changed. King Stephen, who was probably influenced by the representations of the professors of the common law, issued a prohibition against the teaching of the civil law. This fact is stated by Roger Bacon, the friar, in his ‘Compendium Theologiæ,’ as well as by John of Salisbury in his ‘De Nugis Curialium.’ Notwithstanding the king’s prohibition, the study of the civil and canon law was universally promoted by the churchmen. The study of the laws of the land appears to have been cultivated with equal ardour by the laity and the more patriotic portion of the clergy.\*

\* “Viri, aliàs etiam bonis literis imbuti, legibus moribusque vetustis Anglicanis qui ad regimen attinuerunt Publicum et Civile, seriò incubuere; atque ex eis in foro Advocati Judicesque se-

In the succeeding reign an important change was effected in the administration of justice in England. Henry II., by the advice of his parliament, held at Northampton, divided the kingdom into six circuits, and appointed three judges to each circuit.\* These judges were called Justices in Eyre, and to them was committed consueance of all civil and criminal pleas happening within their districts, without, however, interfering with the jurisdiction of the king's superior courts.

The following was the distribution of the justices made by Henry II. in the twenty-second year of his reign:—

*First Circuit:* Norfolk, Suffolk, Cambridge, Huntingdon, Bedford, Buckingham, Essex, and Hertford counties.

*Justices:* Hugo Cressy, Walterus filius Roberti, et Robertus Maunsel.

*Second Circuit:* Lincoln, Nottingham, Derby, Stafford, Warwick, Northampton, and Leicester counties.

*Justices:* Hugo de Gundevilla, W. filius Radulphi, et W. Basset.

*Third Circuit:* Kent, Surrey, Sussex, Hampshire, Berks, and Oxon counties.

lecti. In *Monasteriis, Academiis, Antistitum Clariorum familiis, Collegiis*, alibique pro educationis, qualitatis, dignitatis, opportunitatis discrimine ii degebant." Seld. in Fletam, 7.

\* There is a very ancient precedent of judges going *circuit*, 1 Samuel, chap. vii. v. 16.—"And he went from year to year in *circuit* to Bethel, and Gilgal, and Mizpeh, and judged Israel in all those places."

*Justices* : Robertus filius Bernardi, Richardus Gifford, et Rogerus filius Ramfrey.

*Fourth Circuit* : Hereford, Gloucester, Worcester, and Salop counties.

*Justices* : W. filius Stephani, Bertein de Verdun, et Turstavi filius Simonis.

*Fifth Circuit* : Wilts, Dorset, Somerset, Devon, and Cornwall counties.

*Justices* : Randulphus filius Stephani, W. Ruffus, et Gilbertus Pipard.

*Sixth Circuit* : York, Richmond, Lancaster, Copland, Westmoreland, Northumberland, and Cumberland counties.

*Justices* : Robertus de Watts, Radulphus de Glanvilla, et Robertus Picknot.

These men were known for their proficiency in the common law ; one of their number, R. de Glanvilla, being the distinguished lawyer, afterwards Justiciarius Angliæ, and the author of a work on the laws of England, which has made his name celebrated throughout Europe. In the reign of King John, the Normans made a digest of their laws in imitation of the English compendium by Glanville, which is called the ‘Grand Costumier of Normandy ;’ and, from the similarity between the two works, it is supposed to have been formed on the model of, if not compiled from, Glanville.

The work of Glanville, several circumstances satisfactorily prove, was written about the thirty-fourth year of King Henry the Second, or A. D. 1187. The

circumstance of a layman filling so eminent an office as that of Chief Justice of England, as well as the profound knowledge of the common law evinced in the 'Tractatus de Legibus et Consuetudinibus,' which was one of the first treatises on jurisprudence that had appeared in Europe since the dissolution of the Roman empire, strongly indicate the progress which the study of the municipal law had made under the influence of the schools of common law, which began to rise into importance in the reign of Stephen, stimulated by the national antipathy to the teaching of the civil code. Glanville opens with a preface in imitation, almost verbatim, of the *proœmium* of the 'Institutes' of the Emperor Justinian. In two or three passages he adopts phrases and definitions from thence, and twice expressly mentions the Roman code, pointing out the difference in the law of dower and the law of inheritance which prevailed in England, and the rule of the civil law on those subjects, while the independence and pre-eminence of the law of the land is upheld. It hence appears that the Roman system of jurisprudence was studied and appealed to; from which it may be inferred, that the regulations of Justinian respecting the study and practice of the law would be carefully observed and adapted to the circumstances of this kingdom. As the work from which he avowedly copied was addressed to the students of the Roman law,—*cupidæ legum juventuti*,—Glanville's 'Tractatus,' it may be presumed, was de-

signed for, and dedicated to the same class in England. The extent and intricacy of the juridical system with which the lawyers of the time of Henry II. were conversant are pointed out by Glanville, who declares that it would be absolutely impossible to reduce, in every instance, the laws and constitutions of the realm into writing. In the chapter on lawful heirs,\* he gives us as an example the following complicated case:—"By reason of the liberality which parents are in the habit of exercising towards their sons, or even towards other persons, questions of law frequently arise concerning donations of this description. Let us suppose that a knight, or a freeman, having four or a greater number of sons, all born in wedlock of one mother, should, with the consent of the heir previously obtained, (in order to prevent disputes,) give to one of his sons—let us say to the second—and his heirs a certain reasonable part of the inheritance. Let us suppose that the son to whom the gift has been made received seisin, and during his life took the profits and proceeds, and that he died in such seisin, leaving not only his father but all his brothers yet living. Very obscure indeed is the law and considerable the debate and contention among the most skilful of that profession when this point occurs, or may occur, in the king's court, in order to ascertain who ought by law to succeed to the inheritance."

Glanville devotes the eleventh book of his treatise

\* Book VII.



to the office of attornies, who were put in the place of their principals in court, "to gain or to lose for them"—*ad lucrandum vel perdendum*. The name of attorney indicates one who stands in *turn* for another; and at this early period the practice of appearing by an authorised proxy was established. A father might constitute his son his substitute, and *vice versâ*; one stranger might substitute another; and a wife might, in a suit concerning her dower, appoint her husband her attorney. A writ from the king was necessary in each case, and it was in the following terms :—

"The King to the Sheriff, or to any other presiding in his court, health.—Know that N. hath before me, or my justices, put R. in his place *to gain or to lose for him*, in the plea which is between him and P. concerning one ploughland [or concerning any other thing (naming it)], and therefore I command you that you receive the afore-said R. in the place of the said N. in such plea to gain or to lose. Witness," &c.

The 'Miroir Aux Justices' says, "All may be attornies which the law will permit." Any man might appoint another in his turn, for certain purposes, that lay under no legal incapacity, with the following exceptions :—"Women may not be attornies, nor infants, nor villeins, nor any who are in custody, or any who is not free of himself, nor any who is criminous," &c. The practice soon, however, grew up of appointing professional lawyers as attornies in certain cases; and

in the time of Edward I., pleaders or counsel below the degree of serjeants were not unfrequently constituted the proxies or 'attornies' of parties to suits.

In the reign of Richard I., who succeeded his father Henry, owing to the multiplicity of business in the Aula Regia, or chief court of the kingdom, the Court of Common Pleas seems to have been erected into a distinct court; although there are some, including Lord Coke, who contend that the Court of Common Pleas has existed from the Saxon times. The Court of King's Bench, the Exchequer of Pleas, the Court of Common Pleas, and the Court of Chancery at this period exercised separate jurisdictions, and were frequented by a considerable number of professional counsel, who, after the fixing of the Court of Common Pleas at Westminster Hall, pursuant to the article in the great charter of King John, established themselves on the slope of Holborn, then part of the open country, beyond the walls of the city of London, and separated by fields and gardens from the royal palace at Westminster, in the great hall of which, then, as now, the judicial business of the kingdom was chiefly transacted. John's reign was also distinguished by the division of the legal year into four Terms,—Hilary, Easter, Trinity, and Michaelmas, which division has, with little variation, been observed to the present day. The treatise of the learned Bracton, '*De Legibus et Consuetudinibus Angliæ*,' which was written in the time of John's successor, Henry III., affords a striking proof of the

advancement of the science of the law, A. D. 1216. In this work, which is a systematic and elaborate dissertation on the law as it then stood, the practitioners of the law are termed *counsel, pleaders, and advocates*. It appears from the ‘*Placitorum Abbreviatio*,’\* a compilation from the early judicial records of this country, made by royal authority, that at this period the rule was established that none but regular advocates should be permitted to appear as counsel to plead in causes in which they were not personally concerned. The same fact is mentioned by Matthew Paris.

In the nineteenth year of King Henry III., that sovereign by writ, addressed to the mayor and sheriffs of London, ordered the suppression of schools of law *within* the city of London, for the better encouragement, it is supposed, of the Inns of Court in the suburbs, in which exercises were now performed, lectures delivered, and degrees in common law conferred, as degrees in the civil and canon law were given in the various universities of Europe. The king commanded—

“ Quod per totam civitatem London clamari faciant et firmiter prohiberi, ne aliquis scholas tenens de legibus in eadem civitate de cætero ibidem leges doceat, et si aliquis ibidem fuerit hujusmodi scholas tenens, ipsum sine dilatione cessare fac’; teste rege, &c., 11 die Decembris, anno regni sui decimo nono.”†

This interesting record establishes the fact, that prior to this date there were schools of law in the city

\* Kanc. Rot. 22 temp. 32 Hen. III.      † 2 Inst. Procem.

of London, whatever difference of opinion there may be as to the precise object of the prohibition. "Divers learned men in the laws, that I may use the words of the record," says Lord Chief Justice Coke, "kept schools of the law in the city of London, and taught such as resorted to them the laws of the realm." Selden is of opinion that the 'leges' pointed at in the royal writ were the civil laws; but there seems to be little to support such a conjecture. Both the record quoted by Lord Coke and other authorities shew that the common law *was* taught in schools in London. There is no proof whatever that the civil law ever was so taught. It had been discountenanced by King Stephen; and from that time was restrained to the universities and ecclesiastical seminaries. Sir William Blackstone thinks that King Henry III. issued the above order the more effectually to foster the infant seminary of the law, the crown having taken the newly instituted university of the common law, or Inns of Court, under its protection. That this common law university now began to rival the seminaries, where, under the patronage of the clergy, the study of the civil and canon law was pursued, is evident from the prohibitions issued to the clergy, restraining them from practising as advocates in the secular courts, and the regulations issued respecting the cultivation of the civil and canon laws by those clergymen who were admitted to practise as advocates in the courts ecclesiastical. In the second year of the reign of King Henry

III, A. D. 1217, Richard Poor, then Bishop of Salisbury, in his 'Constitutions,' under the title of 'De bono Pacis,' addressed the following injunction to his clergy, which was probably adopted by other diocesans: — "Nec advocati sint clerici vel sacerdotes *in foro seculari*, nisi vel proprias causas, vel miserabilium personarum prosequantur." The Papal Legate Otho followed up these prohibitions. In his celebrated 'Constitutions,' promulgated from St. Paul's, London, he ordained that no clergyman should appear as an advocate (*in foro seculari*) in a case of blood, or in any case whatever, except in cases allowed by the law of the Church. At the same time Otho regulated the practice of the advocates in the courts Christian. Reciting that justice had been withheld from the people by means of the craft of advocates, and the ignorance of the ecclesiastical judges, he directed that an oath should be taken by every advocate, admitted to practise in those courts, to be faithful to his client. Advocates were to be guilty of no malpractices, on pain of suspension. According to the 'Constitutions' of Johannes Peckham, A. D. 1281, no person was to be admitted as an advocate in the spiritual courts, till he had heard canon and civil law three years at least, "cum debita diligentia." Clergymen were also cautioned against accepting appointments as judges; but this part of the 'Constitutions' was generally evaded, the following canons of St. Paul's Cathedral, after the date of the 'Constitutions' of Otho, and before the end of the reign of

Henry III., having filled the offices of judges of the superior courts of Westminster, or of justices in Eyre :—

John de Gatesden, 34 Hen. III.

Gilb. de Segrave, 35 Hen. III.

Egid. de Erdinton, 36 Hen. III.

Rog. de Wyrecestre, 38 Hen. III.

Hervius de Borham, 49 Hen. III.

A circumstance is mentioned by Matthew Paris, which took place in the 43 Hen. III., which proves that the clergy had then ceased to practise openly as advocates in the secular courts. William de Bussy, a knavish priest, who had concealed his tonsure by a coif, (which it is generally supposed was invented about this period, for the purpose of disguising those of the clerical order who were desirous of eluding the canon restraining the clergy from practising as counsel in the secular courts,) being detected in some malpractices, was taken by the throat and carried off to prison, notwithstanding that he claimed the benefit of his orders. But the variance between the clergy and the profession of the common law was not confined to mere rivalry in the study of the civil and canon law by the one, and of the *lex terræ* by the other. The clergy claimed, *jure divino*, exemption from the authority of the temporal courts, and exclusive jurisdiction over all things which savoured of spirituality. To such a height did this animosity attain, that, in the 42 Hen. III., A. D. 1258, Boniface, Archbishop of Canterbury, who was son of the Earl of Savoy, the uncle of Eleanor, Queen of England,

published 'Constitutions,' in which he usurped and encroached upon many matters which were within the jurisdiction of the courts of common law; thundering out excommunication against the judges of the realm if they violated, or failed to obey, those canons and constitutions. "But notwithstanding the greatness of Archbishop Boniface," observes Lord Coke, "and that divers of the judges of the realm were of the clergy, and all the great officers of the realm, as chancellor, treasurer, privy-seal, &c., were prelates, yet the judges proceeded according to the laws of the realm, and still kept, though with great difficulty, the ecclesiastical courts within their just and proper limits." Till the period of the Reformation a strong spirit of jealousy continued to exist between the clergy and the lawyers.

Notwithstanding this, there are several circumstances, even at the present day, to remind us of the ecclesiastical origin of the legal profession in this kingdom—the terms on the festivals of St. Hilary,\* Easter, the Holy Trinity, and of the blessed Michael the Archangel—the habits of the judges—their appearance in court in scarlet, purple, or black, at particular seasons—the use of the words *brother* to denote a serjeant, and *laity*, to distinguish the people at large from the profession—the coif of the serjeants, the bands worn by both judges, serjeants, and counsel, and the gown and hood worn by graduates of the Inns of Court—many of which cir-

\* Bishop of Poitiers, in France, who died about the year 367.

cumstances raise a strong presumption that the legal university was founded before the time of the enactment of the canons in the reign of King Henry III., compelling the clergy to abandon the practice of the law in the secular courts.

At this period the *pleadings*, or conflicting allegations, by which a single and material *issue*, or the real matter in dispute between litigating parties, is evolved,—which are now conducted on paper, before submitting either a question of fact or of law for trial,—were conducted *ore tenus* in open court; a mode of proceeding which, while it was attended with innumerable inconveniences, threw a double responsibility on counsel. All proceedings were then commenced by original writs, which have lost nearly all their practical importance since the recent abolition of original writs in personal actions; and great nicety was requisite in allotting to each ground of complaint, or cause of action, a proper and appropriate formula, more especially as it was a rule from the earliest times, “The count must be agreeable to the writ, the bar to the count, and the judgment to the count, for none of them must be broader or narrower than the other:” Lord Coke compares the writ to logic, and the count or declaration to rhetoric. After the reading of the original writ in court, the counsel for the complainant narrated the case more fully in what was called the count. The advocate for the defendant then put in his plea; and so they proceeded to reply, rejoin, rebut, and



sur-rebut, till some distinct question or ISSUE, in law or in fact, was raised on which a court or a jury could adjudicate. These altercations were conducted *vivâ voce* in court; and the counsel, or the prothonotaries, noted down the points on which the parties at length agreed to go to trial.

From the practice here explained originated the names employed to designate counsel in those early times. As it has been already shewn, the name of 'counsel' was the most ancient, and was a generic expression. When a lawyer gave advice, he was termed a *counsellor*; when he appeared in public to speak for a client, he was an *advocate*; when he put in a plea for a defendant, he was a *pleader*; when he stated the counts in the plaintiff's case or declaration, he was called *countor* or, in Latin *narrator*,—*narratio* being the Latin for the French term 'count.' These expressions were used to denote the different functions of one individual; but, again, the practitioners of the common law were divided into *serjeant countors*, and *apprenticci ad legem* or *ad barras*, (barristers), a distinction which appears to have arisen after the establishment of degrees in the Inns of Court. The word 'serjeant' being a general expression, its signification was restrained by the addition of the word 'countor,' who in Latin was denominated *serviens ad legem*.

In the 'Miroir Aux Justices,' one of the most valuable expositions of the common law extant, which appears to have been compiled by Andrew

Horn, in the reign of King Edward II., though the substance of the book was evidently the production of a much more remote time, the following interesting description of the office of pleaders is to be found; it is entitled—

OF COUNTORS, OR PLEADERS.

There are many who know not how to defend their causes in judgment, and there are many who do, and therefore *pleaders* are necessary, so that what the plaintiffs or actors cannot, or know not how to do by themselves, they may do by their serjeants, attornies, or friend.

*Countors* are *serjeants* skilful in the laws of the realm, who serve the common people to declare and defend actions in judgment for those who have need of them, for their fees.

Every pleader of others' causes ought to have regard to four things:—1, that there be a person receivable in judgment, that he be no heretic, excommunicate person, nor criminal, nor a man of religion, nor a woman, nor within the orders of a sub-deacon, nor a beneficed clerk who hath cure of souls, nor under the age of twenty-one years, nor judge in the same cause, nor attainted of falsity in his place.

2. Another thing is, that every countor is chargeable by the oath that he shall do no wrong or falsity contrary to his knowledge, but shall plead for his client the best he can according to his understanding.

3. The third thing is, that he put no false dilatories into court, nor false witnesses, nor move or offer any false corruptions, deceits, leasings, or false lies, nor consent to any such, but truly maintain his client's cause, so that it fail not by any negligence or default in him; nor by any threatening, hurt, or villany, disturb the

judge, plaintiff, serjeant, or any other in court, whereby he hinder the right or the hearing of the cause.

4. The fourth is his salary, concerning which four things are to be regarded:—1, the greatness of the cause; 2, the pains of the serjeants; 3, his worth, as his learning, eloquence, and gift; 4, the usage of the court.

A pleader is suspendable when he is attainted to have received fees of two adversaries in one cause; and if he say or do anything in despite or contempt of the court; and if he fall under any of the points aforesaid, besides the exceptions which are to the person of the pleader; for no man can be a pleader who cannot be a plaintiff or actor.

There are several passages in other parts of the ‘Miroir’ which illustrate the office of pleaders in the reign of Edward II., and shew that it was then considered part of the common law of this kingdom. In the section on larcenies it is laid down,—“Into this offence fall those who by extortion take monies or fines for *beaupleader*, or for which the jurors are not charged. Into this offence fall *countors* who take outrageous salary, or not deserved, or who are attainted of ill-defence, or of other discontinuance.” In the section on the abuses of the common law the following are enumerated:—“XXXIX. It is an abuse that the salaries of pleaders be not certain. XLI. It is an abuse that pleaders are spared of oaths according to the points. XLII. It is an abuse to suspend a pleader if he be not attaint of a trespass for which he is condemnable to corporal punishment.” In the section concerning rewards the following scale of fees

is given:—"But the judges who serve the king it is lawful for them to take twelvecence of the plaintiff after the hearing of the cause and no more, although there be two judges, or two plaintiffs in one action; and the pleader sixpence, and a knight sworn a witness fourpence, and every juror fourpence, and the two sumners fourpence." Horn, the compiler of the 'Miroir' prefixes the following verses to his work:—

"Hanc legum summam, si quis vult mira tueri,  
Perlegat, et sapiens si vult orator haberi;  
Hoc APPRENTICIIS AD BARROS ebore munus,  
Gratum iuridicis utile mittit opus  
Horn mihi cognomen, Andreas est mihi nomen."

The poet, John Gower, who was born about A.D. 1340, and was a contemporary of Chaucer, describes the degrees in the legal profession in the following lines in his 'Vox Clamantis'—

"Et apprenticius, sergandus post et adultus,  
Judicis officium fine notabat eum."

The father of English poetry thus describes the 'man of lawe,' of his day, in the prologue to the 'Canterbury Tales.'—Chaucer was himself a student in the Temple:—

"A serjeant of law ware and wise  
That often hadde yben at the parvis,  
Ther was also, full riche of excellence,  
Discreet he was, and of gret reverence,  
He semed swiche, his wordes were so wise,  
Justice he was full often in assize,  
By patent and by pleine commissioun,  
For his science and for his high renoun,

Of fees and robes he had many on,  
 So great a pourchaser was no where non,  
 All was fee-simple to him in effect,  
 His pourchasing might not ben in suspect.  
 No wher so besy a man ther n' as,  
 And yet he seemed besier than he was.  
 In termes hadde he cas and tomes alle,  
 That fro the time of King Will were a falle.  
 Thereto he could endite and make a thing,  
 There could no wight pinche at his writing,  
 And every statute could he plaine by rote.  
 He rode but homely in a medlee cote,  
 Girt with a seint of silk with barres smale—  
 Of his array tell I no longer tale."

Chaucer afterwards describes a franklin, or freeholder :—

" At sessions ther was he lord and sire,  
 Full often times he was knight of the shire ;  
 A sherive had he been and a *countour*,  
 Was no wher swiche a worthy vavasour."

Spelman thus defines the word 'Apprentice : '—"A Gall. *apprenti i. e. tyro, discipulus novitius in aliqua facultate: unde apprentissage d'avocas plaidans pro tyrocinio jurisconsultorum.*" This was probably the meaning of the term primarily; but as early as the reign of Edward I. it was employed to denote counsel below the state and degree of serjeant-at-law; one degree corresponding to that of bachelor, and the other to that of doctor in the Universities of Oxford and Cambridge.

The work on the pleas of the crown by the learned

Britton, one of the justices of the Common Bench at the latter part of the reign of Henry III., subsequently a justice of the Court of King's Bench, and one of the itinerant judges or justices in Eyre, according to some authorities, also a Doctor of Civil Law and Bishop of Hereford till the year 1275, has been called 'King Edward's Book of Laws.' It is written all through in the manner of a royal edict, addressed in the king's name: "To all his faithful liege people and his subjects of England and Ireland, peace and grace of salvation." It was composed in Norman French by Britton at King Edward's command; who, as it is stated in the second section, caused *such laws as had theretofore been used in this realm* to be reduced into writing for the instruction of his subjects. Britton directs that when parties appear in judgment the accuser shall make his accusation, then called his appeal, by some serjeant: "And our will is, that if the appeal be pronounced by the mouth of a serjeant, and be abated on account of its being wrongly set forth, or through other default of the serjeant, *who ought to understand the science of pleading*, the serjeant himself shall be amerced one hundred shillings; and if he was wittingly guilty of the offence, and be afterwards convicted thereof, then let him be sent to prison, and after that suspended from his office."

Champerty is prohibited on pain of severe penalties by the act *Articuli super Chartas*, 28 Edw. I. c. xi. "But it may not be understood thereby," continues the

statute, "that any person shall be prohibited to have counsel of pleaders, or of learned men in the law\* for his fee, or of his parents and prochein amy;" expressions which leave no doubt that at this date the *apprenticii ad barras* were actual practitioners.

The twenty-ninth chapter of the statute of Westminster 3 Edward I. is to the following effect:—"It is provided also, that if any serjeant, countor, or other, do any manner of deceit or collusion in the king's court, or consent unto it in deceit of the court, to beguile the court or the party, and thereof be attainted, he shall be imprisoned for a year and a day, and from thence shall not be heard to plead in that court for any man; and if he be no countor he shall be imprisoned in like manner, by the space of a year and a day at least; and if the trespass require greater punishment, it shall be at the king's pleasure."

In the treatise on the law, published under the name of 'Fleta,' in this reign, in the chapter *De Narratoribus*, (*i. e.* countors or pleaders,) there is a statement of the punishments to which pleaders employing deceit or collusion rendered themselves obnoxious; the author observing that in the king's courts there were serjeant-countors, (*servientes narratores*,) attornies, and apprentices.

In the 'Placitorum Abbreviatio' there is an entry of a plea before the king, at Oxford, in the twenty-fifth year of the reign of Edward I. :—

\* *Counsaille des countors et des sages gents* : "the words "*sages de la ley*" are employed cap. v. of the statute.

“ And the aforesaid Thomas le Mareschal says that he is a common serjeant-countor, before justices, and elsewhere, wherever he can be most serviceable in his office of a common serjeant-countor, and that he, in the plea of the said assize, stood with the said John, before the said justices, and assisted him herein as much as he could as his serjeant, and as it was lawful for such serjeants in such cases to do.”

In the ‘Placitorum Abbreviatio,’ we find Gilbert de Thornton and William de Giselham described as *pleaders for our lord the King Edward I.*, at Stafford.

It appears from the subjoined extract from the monuments of Parliament, that in the twentieth year of the reign of Edward I., that king directed the Lord Chief Justice of the Common Pleas, and the other justices of that court, to select a number of *apprentices*, who should practise in the courts of assize, &c., in the various counties: “He enjoined John de Methingham and his fellow justices, that they, according to their discretion, should provide and ordain, from *every county*, certain attornies and apprentices of the best and most apt for their learning and skill, who might do service to his court and people; and that those so chosen only, and no other, should follow his court and transact the affairs therein; the said king and his council then deeming the number of seven score to be sufficient for that employment; but it was left to the discretion of the said justices to add to that number or to diminish, as they should see fit.” \*

\* Plac. in Parl. Rot. 5 ; Coke’s Rep. 9 ; Seld. Op. ; Dug. Orig.



That the 'learned men in the law' mentioned in the *Articuli super Chartas* above quoted were apprentices, is apparent from an entry in the year-book, Trin. 1 Edw. III. in the year 1327, en Bank le Roy, where it is incidentally said, "*Et puis une apprentice demand,*" &c. In the year-book of the twenty-ninth year of the same reign there is express mention of the *apprentices in the Inns of Court*. Ingelby having taken an exception at the bar, Wilby and Skypwith answered that that was never an exception taken in that place, but that they had often heard it, *entre les apprentices en Hostells*.\* Fabian, the historian, in his 'Chronicle,' A. D. 1363, makes a remark which coincides with the authorities alluded to: "About this time there was an ordinance and statute made that the *serjeants and apprentices at law* should plead their pleas in their mother-tongue." But perhaps nothing can explain more intelligibly the relative positions of the several members of the legal profession, and the gradations in the Inns of Court, at this time, than an extract from an *assessment* for a subsidy in the 2 Richard II., A. D. 1379, where each person is assessed according to his station. An entry, 3 Rot. Parl. 58, is to the following effect:—

|   |      |       |
|---|------|-------|
| Also every justice, as well of the one bench as | s.   | d.    |
| the other, and those who have been justices of  |      |       |
| those benches and the Chief Baron of the Ex-    |      |       |
| chequer. . . . .                                | each | 100 0 |
| Also every serjeant and great apprentice at     |      |       |
| law. . . . .                                    | each | 40 0  |

\* Dug. Orig.

|  |           |           |
|--|-----------|-----------|
| Also other apprentices who practice the law  | <i>s.</i> | <i>d.</i> |
| each   | 20        | 0         |
| Also other apprentices of less estate and attorneys . . . . .                      | each      | 6 8       |
| Also every serjeant and franklin of the county according to their estate . . . . . | each      | 6 8       |

The three grades of apprentices here enumerated exhibit the classification of the members in the Inns of Court; the great apprentices being the benchers; the apprentices practising, barristers; apprentices of less estate, students; the latter being, it will be observed, assessed equally with the franklin or freeholder. In the year 1381, the Commons prayed the King that two justices, two serjeants, and four apprentices at law, should be appointed to enquire into grievances in the administration of the law; and subsequently we find an entry of an order to carry the views of the Commons into effect, the commission to comprise certain persons 'of the best apprentices of the law.\*' Walter

\* There are several cases on record where Apprentices-at-law *refused* to accept the state and degree of Serjeant, when called thereto. Lord Chief Justice Coke relates the following example:—"In the fifth year of Henry V., John Martine, William Babington, William Pole, William Westbury, John June, and Thomas Rolfe, six grave and famous apprentices, having writs delivered unto them to take the state and degree of serjeants, returnable in Michaelmas Term, when all the means which they had used could not prevail, they at the return thereof in Chancery absolutely refused the same; whereupon they were called in to the parliament then sitting, and there charged to take the state and degree upon them, which in the end they did, and divers of them afterwards did worthily serve the king in the principal offices of the law, as by our books appear."

Askham, who was created a serjeant in the time of Henry IV., was, in the following reign, designated an apprentice in a demise of Serjeants' Inn, Chancery Lane:—"Anno 1461, pro Faryndon's Inn, Chancellors Lane, dimissio Rogero Horton, et Will. Cheney justiciariis et Waltero Askham apprenticio legis, ad 6*l.* 13*s.* 4*d.*" \* The name of apprentice was kept up for some centuries. The learned Plowden wrote himself of the Middle Temple, apprentice; and Sir Henry Finch, in his 'Nomotechnia,' and in his book on the 'Common Law,' describes himself as of Gray's Inn, *apprentice del ley*.

A question has been raised by some casuists, how far the practice of the profession, of which the Inns of Court are the seminary and 'alma mater,' is consistent with the rules of ethics; and some writers on morals have, in our own times, raised objections against the bar, which, instead of being one of the most distinguished institutions of civil society, as for ages it has been esteemed, is, they allege, an avocation inconsistent with Christian morality.† The objections of those who censure the profession of the law may be compressed into the following argument:—In every cause between party and party there is a *right* and a *wrong*; yet neither the one party nor the other ever wanted a counsellor to maintain his cause; consequently counsellors wittingly and willingly take upon themselves the defence of *bad causes*,

\* Dug. Orig.

† Essays by Jonathan Dymond.

knowing the same to be *unjust*, when they are consulted with and retained: to defend injustice, is to become a participator with the offender.

To these objections there are three answers:—

1. It is the natural right of every man accused of an offence to speak in his defence; and he must be presumed to be innocent till his guilt is established. Even the vilest criminal is entitled to a fair hearing; he has a right to the benefit of every suggestion that can reasonably be advanced in his favour, of every probability that can be suggested consistent with his innocence, as well as of every weak part in the case of his accuser. To deny this right would be to outrage natural justice, and to establish a tyranny that no civilised society would endure. Now, if an accused person, either by reason of natural incapacity, unacquaintance with rules of law, or agitation of feelings, be unable to speak for himself, he has clearly a right to speak by the mouth of an advocate, and to urge every fact that his witnesses can establish, and every circumstance that can rebut the charge, or mitigate his guilt. Bishop Warburton, in his ‘Divine Legation,’ makes the following observations on this point:—“And though some of those, who call themselves casuists, have held it unlawful for an advocate to defend what he thinks an ill cause, yet I apprehend it to be the natural right of every member of society, whether accusing or accused, to speak freely and fully for himself. And if, either by a legal or

natural incapacity, this cannot be done in *person*, to have a proxy, provided or allowed by the state, to do for him what he cannot or may not do for himself. I apprehend, that all states have done it, and that every advocate is such a proxy." If the office of an advocate be essential, as the experience of ages has found it to be, to the due administration of justice,—“the queen and lady of all virtues,”—it is scarcely logical to aver that it is at variance with morality.

2. The objectors lose sight of the very important circumstance, that courts of justice are bound to decide according to the *evidence* that is brought before them, and according to that alone. The questions within their province are not to inquire whether, morally, a man is guilty or not guilty; whether such a cause is, morally, just or unjust; for these are questions for the Supreme Judge; but, whether *according to the evidence* the accused is guilty or not guilty; whether, according to the established principles of law, a cause is right or wrong. The rules of judicial evidence are the safeguards of individual liberty, and the guarantees against unjust judgment. The voice of all mankind is in favour of their being inviolately observed. Nothing is so repugnant to our notions of justice as the admission of improper evidence into a court of justice, or as the conviction of a man on doubtful and insufficient testimony;—many cases in which the rules of evidence were flagrantly disregarded oc-

cur in our state trials, and are never read without indignation;—it must, therefore, be lawful for an advocate to insist that his client shall have a fair trial, that he shall not be convicted unless it be clearly and manifestly proved, by good and unexceptionable evidence, that he is guilty; the jury are sworn to decide according to the evidence, and to dismiss from their minds every other consideration. It, consequently, may be one thing for an advocate to suspect, from some circumstance communicated to him confidentially, that the prisoner whom he defends is morally guilty; it is quite another thing that it should be proved to the court and jury, according to the rules of judicial evidence, that he is so. *He is accounted innocent till he is proved to be guilty.* The duty of a counsel, who defends a prisoner, is to sift and examine the evidence, and, if the evidence against the prisoner be vague and unsatisfactory, to demand his acquittal—a verdict according to the evidence. But a counsel who employs any stratagem, is guilty of deceit, or by falsehood and guile obtains the acquittal of a felon, is not only reprehensible *in foro conscienciæ*, but is liable to punishment. Both the ‘Miroir’ and Lord Coke lay it down, that such a person would be punishable at common law; and Hawkins, in the ‘Pleas of the Crown,’ expressly says, that all fraud and falsehood, tending to impose upon or abuse the justice of king’s courts, are within the purview of the statute of Westminster.

3. Collier, in his 'Dialogue on the Profession of the Law,' says, "If they *knowingly* engage in a *foul cause* they misbehave themselves, and have much to answer for." But counsel do not, and cannot know whether a cause is fair or foul till he hears *both sides of the question*, which he never does till the case is heard in open court. It is a mistake to suppose that a confession of wrong is made to counsel. The direct contrary is the fact. He receives a written statement of an *ex parte* case, and has no personal communication with the client. Fuller, in his dissertation on the good advocate, in his celebrated work, the 'Holy State,' says, truly, "many clients, in telling their case, rather plead than relate it; so that the advocate hears not the true state of it till opened by the adverse party." Those who require counsel to refuse their assistance to a case which, at the first view, seems to be one that admits of no defence, in effect call upon them to usurp the functions of judge and jury. We might answer such parties in the words of a learned divine, who was not sparing of his censures on what he conceived unwarrantable practices of lawyers: "A cause which has an ill face at first, clears up sometimes in court, and brightens strangely upon the pleading." Sir John Davis,\* Attorney-General in Ireland, in the learned preface to his 'Reports,' printed A. D. 1628, presses this point

\* The author of 'Nosce Teipsum,' and other highly esteemed poems.

with considerable force: "For *when* doth the right or wrong in every cause appear? When is it distinguished and manifest? Can it be discovered upon the first commencement of the suit, *and before it be known what can be alleged and proved by either party?* Assuredly it cannot: and therefore the counsellor, when he is first retained, cannot possibly judge of the cause, whether it be just or unjust, because he hears only *one part* of the matter, and that also he receives by information from his client, who doth ever put the case with the best advantage for himself. But when the parties have pleaded, and are at issue, when they have examined witnesses in course of equity, and be descended to a trial in course of law, after publication and hearing in the one cause, and full evidence delivered in the other, *then* the learned counsel of either side may, perhaps, discern the right from the wrong, and not before. But then are the causes come to their *catastrophe*, and the counsellors act their last part. And yet, *until then*, the true state of the cause, on both sides, could not possibly be discovered." Still a grave responsibility must always rest upon a barrister, and he must be careful not to lend himself to injustice or oppression. In doubtful cases, we say, with the author of the 'Holy State,' he ought to warrant nothing but his own diligence. In criminal cases, he ought to use no fraud, but require a verdict according to the evidence, and nothing but the evidence; and,



should he engage in a civil cause, which, on examination, he is thoroughly satisfied in his conscience is a case of injustice and iniquity, (though, as it has before been observed, it is most difficult ever to make such a discovery till the whole case be sifted in open court,) we agree with the opinion of Aquinas, that he ought not to betray the cause, by revealing the secrets confided to his keeping, but that he should either abandon the case, or induce his client to arrange the matter without injury to his adversary:—

“ To virtue and her friends a friend,  
Still may my voice the weak defend !  
Ne’er may my prostituted tongue  
Protect the oppressor in his wrong ;  
Nor wrest the spirit of the laws,  
To sanctify the villain’s cause ! ” \*

Let him act in the spirit of the admonition of the distinguished Bishop Sanderson: “ Like a good man as well as a good orator, to use the power of his tongue to shame impudence and protect innocency, to crush oppressors and succour the afflicted, to advance justice and equity, and to help them to right that suffer wrong, and to let it be as a ruled case to him in all his pleadings, not to speak in any cause to wrest judgment.”

\* Blackstone’s Lawyer’s Prayer.

## CHAPTER II.

## SITES OF THE INNS OF COURT.

THE situation of the Inns of Court was admirably chosen with reference to the objects of those institutions; being fixed in a locality free from the noise and bustle of the town, adapted for healthful retirement and uninterrupted study, at the same time in the "neighbourhood" of the city of London, and at a convenient distance from Westminster Hall. "For this place of study," observes Sir John Fortescue, writing in the reign of Henry VI., "is situate nie to the king's court, where the same laws are pleaded and argued, and judgements on the same given by judges, men of gravity, ancient in years, perfect and graduate in the same laws; wherefore every day in court the students in those laws resort by great numbers into those courts, wherein the same laws are read and taught, as it were in common schools. This place of study is set between the place of the said courts and the city of London, which of all things necessary is the plentifullest of all the cities and towns of the realm. So that the said place of study is not situate within the city, where the confluence of people might

disturb the quietness of the students, but somewhat several in the suburbs of the same city, and nigher to the said courts, that the students may dayly at their pleasure have access and recourse thither without weariness." In early times the western boundary of the city of London extended no farther than Ludgate, which was one of the *gates* or bars of the city; the wall extending, on one side, to a fort near the present Blackfriars Bridge, and on the other side sweeping from Lud Gate to New Gate; from thence to Creple Gate; from Bishop Gate to Ald Gate; the eastern wall running from thence to a fort on the banks of the Thames. A river separated the Inns of Court from the city, flowing from Battle Bridge, past the foot of Holborn Hill, and joining the Thames at Blackfriars. This river was called the *Fleet*, or Swift River, and gave their names to Fleet Street and the Fleet Prison. It was called 'The River of Wells,' in a charter granted by William the Conqueror to the College of St. Martin-le-Grand. It appears from a record of a parliament held at Carlisle in the 35th Edward I., A. D. 1307, that a complaint was preferred to the king by the Earl of Lacy, complaining of encroachments on this river, and that in times past ten or twelve ships laden with merchandise had been wont to be at the *Bridge of Fleet*,\* and some to come as far as *Old Bourne* (Holborn) *bridge*.

\* One of the editions of Littleton, printed by Machlinia, has the imprint of the city of London, "*juxta pontem qui vulgariter dicitur Flete Brigge*."

The two societies of the Temple were located on the banks of the river Thames :—

“ Those bricky towers

The which on Themmes brode aged back doe ride,  
Where now the studious lawyers have their bowers,  
There whilom wont the Templar Knights to bide,  
Till they decayed through pride.” \*

It would have been impossible to have selected a more delightful or more dignified situation, with that majestic river in its original purity, a free atmosphere, open country, and a line of palaces stretching from the Temple to Whitehall. Gray's Inn enjoyed more elevated ground, and what it wanted in the view of the river, it gained in the extent of its gardens, its proximity to the fields, and its prospect of the hills of Hampstead and Highgate. Lincoln's Inn, with its spacious grounds, was also well situated; the adjacent fields, called the Coneygarth, being well stocked with rabbits and game. Even now the gardens of the Temple are exceedingly beautiful, and are deservedly admired by all strangers; what must they have been in the time of Queen Elizabeth, when but one bridge spanned the Thames, when there were no buildings on the opposite banks of the river, and when Essex House, Somerset House, the Savoye, Durham House, York House, and Whitehall, were the only connecting links between the Temple and Westminster. Shakspeare has laid the scene of the first

\* Spenser.



were four lesser inns in this quarter,—Furnival's Inn, Thavie's Inn, Barnard's Inn, and Staple Inn; there was also an inn for serjeants, called Scroope's Inn, at Ely Place. In Strype's map, A.D. 1633, there are no buildings described north of Gray's Inn, all being marked as "pasture land." In Bacon's time, Gray's Inn Gardens commanded a fine prospect of Hampstead and Highgate Hills. In the 40 Eliz., at a pension of the bench, "the summe of 7*l.* 15*s.* 4*d.* laid out for planting elm trees" in these gardens, was allowed to Mr. Bacon (afterwards Lord Verulam and Lord Chancellor). On the 14th November, in the following year, there was an order made for a supply of more young elms; and it was ordered "that a new rayle and quickset hedges" should be set upon the upper long walk, at the discretion of Mr. Bacon and Mr. Wilbraham; the cost of which, as appeared by Bacon's account, allowed 20th April, 42 Eliz., was 60*l.* 6*s.* 8*d.* Mr. Bacon, erected a summer-house on a small mount on the terrace, in which, if we may be allowed to conjecture, it is probable he frequently mused upon the subjects of those great works which have rendered his name immortal. How much he loved gardens, he tells us in his essays, which are dated from his "chamber in Graies Inn." "God Almighty first planted a garden, and indeed it is the purest of human pleasures; it is the greatest refreshment to the spirits of man, without which, buildings and palaces are but gross handy works." He gives directions how to have "ver perpetuum" in gardens, and with the ardour of a true

florist, remarks—" And because the breath of flowers is far sweeter in the air (where it comes and goes like the warbling of music) than in the hand, therefore nothing is more fit for that delight than to know what be the flowers and plants that do best perfume the air." Gray's Inn Gardens are still much frequented, and the elms that Bacon planted afford a refreshing shade. It would add considerably to the beauty and salubrity of the metropolis, if a view of these fine gardens were thrown open from Holborn opposite Chancery Lane, an improvement which might be effected by widening Fulwood's Rents from Holborn into Field Court.

The elegant gardens of Lincoln's Inn, and the spacious enclosure adjoining them, known as Lincoln's Inn Fields, are among the beauties of the metropolis, to the health of which they materially contribute; but it required all the vigilance and influence of this society to check the ruthless progress of bricks and mortar, and to prevent those fields from being filled with a population as dense as that in the adjoining district of Drury Lane. The following is a copy of a letter sent by the lords of his majesty King James's privy council to certain justices of the peace for the county of Middlesex, to restrain and forbid certain buildings in Lincoln's Inn Fields, in the year 1613:—

" After our hearty commendations it is well known unto you what order hath been taken, as well by public proclamation as by often addresses from the board, and not long since by delivering unto yourselves his

majesty's express pleasure and commandment for the restraint of new-erected buildings, together with the inconveniencies that cannot be avoided by the swelling multitudes of people which by that occasion are drawn hither from all parts of the kingdom; and that as well in regard of the provision of victual, which is now grown to a high rate, as also in respect of government and order; and yet, nevertheless, such is the liberty as men take herein for the advantage of their private ends, as there is nothing more frequent in the skirts and confines of the city than new-erected buildings: amongst the rest you shall understand that complaint hath been made unto us by the students of Lincoln's Inn, that some do goe about to erect new buildings in a field near unto them, called Lincoln's Inn Fields, with an intent to convert the whole field into new buildings, contrary to his majesty's proclamation, and all other public orders taken in that behalf, and to the great pestering and annoyance of that society: forasmuch as it is expedient that some present cause be taken for restraint thereof, we do hereby require you to take notice of the same and to restrain and forbid that building by such effectual means as you shall think meet; and if any person shall refuse to yield thereunto, we do hereby require and authorise you to commit him or them so refusing to the gaol, until they conform themselves accordingly; or otherwise, if you find cause, to take good bond of them to appear before us that such further order may be taken as shall be meet; whereof



we require you to have a special care, and to signify unto us your proceedings therein; and so we bid you heartily farewell.

“ From White Hall, this 4th September, 1613.

“ Your loving friends,

“ G. CANT.

“ T. ELLESMERE, CANC.

“ H. NORTHAMPTON.

“ E. STANHOPE.

“ JUL. CÆSAR.

“ EDW. FORSETT.

“ LEWIS LEWKNER,

“ THOMAS FOWLER,

“ WILLIAM SMITH,

} Knights.”

To this letter we owe the preservation of Lincoln's Inn Fields, the finest square in the metropolis. Three years after this date a commission from the crown was directed to Lord Chancellor Bacon, the Earls of Worcester, Pembroke, Arundel, &c., reciting that the ground called Lincoln's Inn Fields was much planted round with dwelling-houses and lodgings of noblemen and gentlemen of quality, but that it was at the same time deformed by cottages and mean buildings, encroachments on the fields and nuisances to the neighbourhood. The commission were charged to reform the grievances complained of, and, with the assistance of Inigo Jones, to frame and reduce those fields, called Cup Fields and Purse Fields, “ both for sweetness, conformity, and comeliness, into such walks, partitions, or other plots, and in such sort, manner, and form both for

public health and pleasure as by the said Inigo Jones is, or shall, be drawn by way of map." In conformity with this authority Jones drew a ground-plan, giving to the fields the exact dimensions of one of the pyramids. Several of the buildings, on the west side, were designed by this artist, but he died before his plans were completely carried into execution. As late as the year 1740, Lincoln's Inn Fields were used for breaking in horses; but soon afterwards they appear to have been railed in and laid out, in the order in which they now exist. Lincoln's Inn Fields are memorable as the place where Lord William Russell was beheaded.

## CHAPTER III.

## CONSTITUTION OF THE INNS OF COURT.

THE word 'Inne' was anciently used to denote the town houses in which great men resided when they were in attendance at court; and it is frequently employed by the elder poets to describe a noble mansion. The inns of court were in French termed *hostells*. In all our Latin records the law inns are called *hospitia*; while *diversoria* is the name given to public lodging-houses, which are now commonly known as 'inns.' Waterhouse, a writer contemporary with Hale, assigns the following reason why the term 'inne' was applied to our legal seminaries; but it scarcely accounts for the employment of the word in its signification as a nobleman's residence: — "Hence it comes to pass that because *hospitia militaria* are properly intended to receive military men; the inns of these military men, called Templars, residing in the Temple, London, gave name to the most ancient and eminent\* of the inns of court, the

\* It is scarcely necessary to say that these two learned societies themselves claim no such pre-eminence above the other two inns, as Waterhouse's zeal has assigned them; the contrary appears in several instances mentioned in these pages.

Temples, which became inns of law." In the reign of Charles the First, an order was made by the visitors "For that the institution of these societies were chiefly ordained for the profession of the law, and in a second degree for the education of the sons and youth of riper years of the nobility and gentry of this realm, and in no sort for lodging or abode of gentlemen of the country, which, if it should be suffered, would be a disparaging of the same societies, and to turn them from *hospitia* to *diversoria*; it is ordered that no knight or gentleman, foreigners, or discontinuers, or others not of the same societies, shall be admitted or allowed to lodge in any of the houses aforesaid." Butler, playing upon the expression *hospitium*, speaks of—

" The *hostess*

Of the Inns of Court and Chancery—justice."

The Inns of Court are voluntary societies, for ages submitting to government, analogous to that of other seminaries of learning; from time immemorial enjoying the protection of the crown; by the common law subject to the visitorial power of the judges of the superior courts, who possess a domestic jurisdiction over these bodies, and to whom an appeal lies, in every case, against orders affecting members of these societies; forming a university empowered to grant degrees in the municipal law of England, which constitute indispensable qualifications for practice in the superior courts of law; no corporations, and possessing no charter from the crown; by the policy of the

common law, permitted self government (subject to the qualifications mentioned), in order to secure the independence of a body upon whose integrity and freedom from the restraints or influences of the ruling authority, a great deal of the constitutional liberty of Englishmen depends; and whose duty it has been, at different periods, to oppose the pretensions of the crown, resist the machinations of the court, question the legality of the proceedings of a parliamentary majority, or stand unawed before a subservient judge; at the hazard of giving deadly offence to the government of the day, at all risks, appearing as the faithful counsellors and fearless advocates of their fellow citizens, no matter how obnoxious, who demanded their services, for the defence of their rights, their lives, or their property. Unlike the canonist, or civilian, the barrister assumes his gown without the acquiescence or approbation of any authority save that of the Bench of the house to which he belongs; and to the peculiar constitution of the Inns of Court, and to the spirit of independence imparted by that constitution to the legal profession of this kingdom, may be ascribed the fact that, in the worst times of our history, advocates have been found ready to encounter the frowns of power, and to brave its bitterest hostility in behalf of the oppressed or the accused.

— As soon as any member of an Inn of Court is raised by royal writ to the state, degree, and dignity of a serjeant-at-law, he ceases, *ipso facto*, to be a member of the society. He removes to a new hall, and

appears for the future in the Inn of Court as a guest, a usage which has prevailed for several centuries, and which seems to have been adopted, in early times, for the purpose of maintaining unimpaired the independence of the parent societies. It may here be observed, that by the common law no one can be appointed a judge of the superior courts who has not attained the degree of the coif, which degree can only be conferred on a barrister of one of the four Inns of Court; the antiquity of the degree of serjeant being, according to Lord Chief Justice Tindal,\* as high as the existence of the courts themselves. Prior to the reign of Henry VIII. ecclesiastics were frequently created Chancellors, Masters of the Rolls, &c. whose offices were not subject to the rules of the common law, but, from facts stated in other parts of this volume, it seems very probable that many of the clergymen, selected in ancient times to fill those situations, were actually members of the Inns of Court.

“All these Inns of Court and Chancery,” says Lord Coke, “do make the most famous university for the profession of the law only, or of any one human science, that is in the world, and advanceth itself before all others *quantum inter viburna cupressus*.” Sir John Fortescue,† to the same effect, says, “And to speak uprightly there is in these greater inns, yea, and in the lesser, too, beside the study of the law, as it were an university or school of all commendable quality.”—“But after what manner and sort,” he

\* 8 Scott Rep.

† Fort. de Laud.

continues, "the laws are learned in those inns, thereof here to make rehearsal it is not needful, for so much as it is not for your estate, most noble prince, to put the same in use ; yet know ye this that it is pleasant and delectable, and in any wise expedient for the learning of the law and worthy with all affection to be embraced. But one thing there is that I would have you know, that neither at Orleans, where as well the canon as the civil laws are taught, and whither out of many countries scholars do repair, nor at Ango, or at Cane, nor any university of France (Paris only excepted) are found so many students past childhood as in this place of studies, notwithstanding that all the students there are English born." Selden also observes: "Indeed, the study of the common law hath not place in our universities of Oxford or Cambridge, because another university (the Inns of Courts) is appointed for it." Sir John Davis applies the same expression to them. Ducange says: "*Cupidus legum adolescens primo se sistit in uno collegiorum juris \* (sunt enim quatuor, quæ et hospitia vocant), etc.*" Sir William Blackstone describes the Inns of Court as our judicial university; and Wynne, in his 'Eunomus,'

\* There is a MS. in the Lansdowne Collection entitled "A View of all the Foure Famous Colledges or Inns of Court and other inferior howses or halls of Learninge, commonly called Inns of Chancery, and other hostels of name and noate, within and neare y<sup>e</sup> Cittie of London, iustly challenginge the name of an academy wherein and from whence are sent famous learned and profounde persons into y<sup>e</sup> commonwealth; together with ancient and moderne tokens or signes armorial appropriate to

runs a parallel between the Inns of Court and the universities, remarking, "Those writers who have called the Inns of Court and Chancery a university do by no means degrade the term according to its more genuine and strict acceptation."

The earliest reported case respecting the constitution of the Inns of Court is Boorman's case.\* Boorman, a barrister of one of the Temples, having been disbarred, applied for a writ of restitution; but it was refused, because, said the court, the Inns of Court are no corporate bodies but only voluntary societies submitting to government; and the ancient and the usual redress for any grievance in the Inns of Court was by appealing to the judges. It was mentioned in Townshend's case† as settled law, that no *mandamus* would lie to the Inns of Court. In the case of *Rakestraw v. Brewer*,‡ before the Master of the Rolls, the principle that the courts will not\* interfere with the internal management of the Inns was recognised; it being laid down that a bill in equity will not lie to redeem a mortgage of chambers in the Inns of Court, but that the plaintiff must apply to the benchers of the societies, though it is otherwise if the benchers refer the plaintiff to his remedy in equity. Neither will a bill in equity lie against the benchers

the saide colledges." The anonymous author observes :—"First, it is to be understood for the better information of the reader herein that the said fowre colledges, or Inns of Court, may well be termed *Collegia Jurisconsultorum*, that is to say, Colledges of Lawyers."

\* March Rep.

† 2 Sir Thomas Raymond's Rep. 69. ‡ 2 Peere Williams Rep.



of an Inn of Court relative to a grant of chambers,\* *Cunningham v. Wegg*, 2 Bro. C. C. 241. There is also the case of *Levintz v. Randolph*,† in which it was decided that the defendant, a barrister of Gray's Inn, who was sued on his bond for certain dues, was bound to conform to the authority of the benchers. But the most celebrated case on this subject is *The King against the Benchers of Gray's Inn on the prosecution of William Hart*.‡ It was an application for a *mandamus* to compel the benchers to call the prosecutor to the degree of barrister-at-law. It was made to Lord Mansfield, C.J., Justice Willes, and Justice Buller; and after consultation with the rest of the judges, Lord Mansfield delivered the judgment of the court, refusing to grant a *mandamus*. He observed, "The original institution of the Inns of Court no where precisely appears, but it is certain that they are not corporations, and have no constitution by charters from the crown. They are voluntary societies, which for ages have submitted to government analogous to that of other seminaries of learning. In every instance their conduct is subject to the control of the judges as visitors. From the first traces of their existence to this day no example can be found of an interposition by the courts of Westminster Hall proceeding according to the general law of the land; but the judges have acted as in a domestic forum. The ancient and usual way of redress is by appeal to the judges." Some cases of

\* Per Lord Keynon.

† Lord Raymond Rep. 594.

‡ 1 Douglas (Baron Glenbervie) Rep. 353.

appeal to the judges, in their character as visitors, will be mentioned in a future chapter of this volume.

In the case of *Rakestraw v. Brewer*, before Lord King, on appeal,\* 12th of July, 1729, his lordship said that this regard was to be had to all the societies of law, that all their disputes and controversies concerning chambers may be terminated among themselves : and that Lord Keeper Wright had refused to hear a cause of this nature (a dispute respecting the mortgage of chambers) and sent it back to the benchers.

In the case of *Lord Rosslyn v. Jordell*,† which was an action of debt upon a bond, executed by the defendant on his call to the bar by the Honorable Society of Lincoln's Inn, Lord Ellenborough said : " Sitting here I am not prepared to enter into a calculation of pounds, shillings, and pence, and to determine whether too much money is raised by the benchers, or whether the money which is raised be misapplied. If there be any abuse apply to the twelve judges. They are the proper visitors of the Inns of Court, and they will grant redress. Sitting here, I will assume (and I doubt not according to the truth) that both the usages and orders of the society are legal and valid. The defence presents itself in no sustainable shape. I am not to tear up this society by the roots. Most men who have belonged to it have cheerfully contributed to its support, reflecting on

\* Abridg. Ca. Equity, 162. Moseley's Rep. 189.

† 4 Lord Campbell Rep. 303, and 1 Starkie Rep. 148.

the advantages they have derived from it, and the defendant is not called on to pay more than others. His non-attendance can be no discharge to him, since he has chosen to continue a member. I can take upon myself to say that upon presenting the usual petition for that purpose a member is permitted to resign as a matter of course."

In Wooler's case, reported as *The King against the Benchers of Lincoln's Inn*;\* the whole question was very fully discussed, and the decision of the judges delivered by Lord Mansfield, in Hart's case, reviewed. Lord Chief Justice Abbott† said, "Lord Mansfield speaking of these societies says, 'they are voluntary societies.' The very term 'voluntary society,' imparts in it a discretion in the individuals composing it to admit or reject members as they please. It is true that the twelve judges are the visitors of the Inns of Court, but in that character they have jurisdiction only over actually admitted members. When Lord Mansfield said they were 'voluntary societies, which for ages have submitted to government analogous to that of other seminaries of learning,' he must be understood to have meant that they submit to such rules and regulations as they themselves ordained for the internal government of the society; but not that they submit to any foreign jurisdiction as to the persons whom they are to admit as members." Justice Bayley, in delivering his opinion, said, "Con-

\* 4 Barnwall and Creswell Rep. 855 ; 7 D. and R. 351.

† Afterwards Lord Tenterden.

sidering the nature and institution of this society, I think there is no duty incumbent upon them to admit as members of their society all who think fit to apply. I think that the benchers may by law exercise a discretion on the subject. This case is analogous to that of a college. An individual has no inchoate right to be admitted a member of a college, and there is no obligation upon the college to admit him." Justice Holroyd took the same view, "All persons," he remarked, "have not a right to be admitted members of a college. They must be *approved of* by the college, or by those to whom the college has delegated the power of exercising a discretion as to the persons they admit. I think that no person has a right to be admitted a member of one of these societies unless he be approved by the society, or by those persons who are deputed to exercise the discretion on behalf of the society." Justice Littledale said, "I am of the same opinion. When these are said to be voluntary societies submitting to government, that must be understood to import that they submit to a government to be exercised on the members of the society. In all the cases which have come before the judges, the persons applying have been themselves members of the society. The judges, who are visitors, interfere on the principle of exercising an authority over the members of the society, as to their being called to the bar. This is not a case where the judges could be called on to interfere to make the benchers submit to government. But here the court is called

upon to control the society in the admission of members. Now as far as the admission of members is concerned, these are voluntary societies not submitting to any government. The masters and fellows of a college cannot be compelled to admit a particular individual a member."

In the case of Clement's Inn, 1 Keeble, 135, Mich. 13 Car. II., B. R.—"The master and society moved the Court of King's Bench for restitution to a chamber upon a forcible entry, which was granted; but the court would not meddle with the cause, but ordered the young men to submit and appeal to their Inn of Court, and thence to the chief justice, thence to the lord chancellor, and they allowed a society may seize a chamber for non-residence, or want of commons, of any man; and," continues Keeble, "would have laid one or two of the assistants by the heels till restitution and conformity; but would not determine the right of any chamber there; but unless possession were delivered this day, they ordered a tipstaff to do it."

There seems once to have been an attempt made to create a barrister by letters patent, without his duly taking his degree in an Inn of Court; for we find that it was ruled by a solemn judicial decision in Ireland, "That by the course of the common law, a man may not give counsel or advice until he hath been called to the bar, not even though he hath letters patent enabling him to do so as fully as if he had been called to the bar."\*

\* Duhigg's 'Hist. King's Inns.'

The four Inns of Court stand upon a footing of equality. No precedence, priority, or superior antiquity is conceded to, or claimed by, one Inn beyond another;—*nihil prius aut posterius, nihil majus aut minus*. They form together one university; their powers, jurisdiction and privileges are coequal, and upon all affairs of moment the benchers of the four Inns meet in conference. The zeal of individual members has sometimes ascribed to one Inn eminence or antiquity above its sister-inns; but they are now what they were when Shirley dedicated to them, his masque the ‘Triumphs of Peace’—“the four equal and honourable societies of the Inns of Court.” Beaumont, who was of the Inner Temple, dedicated his masque “to the anciently allied houses of Gray’s Inn and the Inner Temple, the Inner Temple and Gray’s Inn,” the repetition being intended to obviate any notion of priority or pre-eminence. In the orders cited by Dugdale from the records of Lincoln’s Inn, issued by the authority of the crown, respecting the military exercises of the four Inns of Court, in the reign of James I., the following is the third regulation:—“Next for priority of place every house give their own gentlemen rank, and *that the houses take place* first by chance of the dice, and afterwards by course and turn.” At the grand masque presented by the four united houses to King Charles I., a committee was appointed to cast lots to decide which of the Inns should have the first place. The lot fell upon Gray’s Inn upon that occasion. Sir Simonds D’Ewes mentions

that at the serjeants' feast, solemnized in the Middle Temple Hall, 1623, the servers were barristers chosen out of the four Inns of Court, and it was decided by lot which Inn was to have seniority for the night; the lot fell to the Middle Temple.

The Inns of Chancery were formerly, in reality and fact, what they are now only in name, preparatory seminaries for the study of the grounds and principles of the law. Such men as More, Coke, and Holt were chosen to deliver lectures in those halls to the members, who, it deserves to be noted, comprised not only students who were preparing to enter the Inns of Court, but the whole body of Attorneys and Solicitors. Mootings and *viva voce* exercises here occupied the students and prepared them for practice. Those Inns of Chancery were governed by principals and ancients, chosen by the members, holding their government subordinate to the benchers of the Inns of Court to which they belonged. The benchers were required, by the orders of all the judges (the visitors of both houses of court and chancery), "to make laws for governing the Inns of Chancery, *as to keeping commons and attending and performing exercises according to former usage*," but the benchers seem never to have had any control over the election of principal, as appears by the case of the King v. Allen,\* and the following letter, which I have extracted from Lord Burghley's papers:—

\* 5 B. Adol. 984.

## The Readers and Auncients of Grayes Inne.

## Comendacion of Mr. Tho. Cary to be Principall of Staple Inne.

Right Honorable and o' very good Lorde, wheras by the death of the late Principall of Staple Inne, ther is presently a new election to be made of another, and having had experience of late tyme by reason of the wante of learning and good governement in their principalls, the howses of Chancery are growen to some disorder of lyving, and to greate decaye of studie, not regarding the authoritie of their principall, by reason there hath byn no such care of election heretofore hadd as were convenient, being altogether choysen by the voyces of the younge gentelmen, and having hadd good knowledge of Mr. Thomas Cary, a gentleman of o' howse, both for his knouledge in law, being an utter barester of good standing and learning, and for his behaviour, sober and discrete, we are bould to be humble suters unto yo' good L. and to recomende him for a very fitt and able man for that place, humbly intreating yo' L. favour in his behalfe unto the Societie of that howse for the better government and increase of learning ther hereafter, to make choyse of him, and thus seasing yo' L. furdre trouble, we comitt you to the tuission of the Highest, whome we pray longe to pserve. From Grais Inne this presente Mondaie the xith of Maye, 1584.

Yo' L. most humble to comāunde,

|                |                   |
|----------------|-------------------|
| JO. BROGRAVE.  | RAUF BARTON.      |
| THO. COLBYE.   | JOHN KYTCHYN.     |
| HR. YELVERTON. | RICH. ANNGER.     |
| R. KEMP.       | WILLM. CARDYNALL. |



WLLM. DANYELL. RICHARD SHUTTLEWORTH.

MYCHAELL LEWYS. PETER FEASANT.

To the Righte Honorable and o<sup>r</sup> very singular  
good L. the L. Burghley, High  
Treasurer of England.

11th May, 1584.

The Inns of Chancery refuse to acknowledge control in the admission of members, as appears by the case of Barnard's Inn, 5 Ad. and E.; so that, practically, they are under no control of any sort, and they limit their numbers, in each Inn, to some twenty or thirty persons. It is somewhat singular that, although Parliament has twice, within the last forty years, called for the regulations of the Inns of Court, the crown also directing the common law commissioners to inquire into these regulations, no inquiry has been made as to the regulations of the Inns of Chancery, and the state of those houses.

\* MS. Lansdown, No. 40, art. 38.

# CHAPTER IV.

## ANCIENT READINGS IN THE INNS OF COURT.

IN ancient times the studies in the Inns of Court were classified in the following manner:—

|          |   |                    |   |   |   |  |
|----------|---|--------------------|---|---|---|--|
| Touching | { | Exercises,<br>viz. | { | Readings<br>in the<br>Moots<br>in the                               | { | House.<br>Inns of Chancery.<br>Hall.<br>Library. |
|          |   | Degrees,<br>viz.   |   | { Bolts.<br>Cases assigned.<br>Readers.<br>Ancients.<br>Barristers. |   |  |

The Readings were, from the very foundation of these seminaries, looked upon as a vital part of their constitution. They were delivered in the halls with great solemnity and dignity, and were not only adapted for the improvement of the students who resorted thither, as Fortescue expresses it, to study the grounds and the originals of the law, but formed a most valuable guide to the more advanced professor in his daily practice, and, being the composition of men experienced in the profession, of tested abilities, who felt it a point of honour to maintain

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the reputation of their respective Inns, they were regarded as authorities, and were cited as expositions of the law in argument at Westminster Hall, where some of them, in our own day, continue to be respected. Some important statute, or section of a statute, was selected by the reader, who analysed every member of it, explained its provisions, and exhausted the whole subject,—pointing out its relation to the common law, and illustrating his argument by apposite cases. Lord Coke notes the following five excellent qualities in the ancient readings:—“First, they declared what the common law was before the making of the statute; secondly, they opened the true sense and meaning of the statute; thirdly, their cases were brief, having at most one point at the common law and another upon the statute; fourthly, plain and perspicuous, for the honour of the reader was to excel others in authorities, arguments, and reasons for proof of his opinions and for confutation of the objections against it; fifthly, they read to suppress subtile inventions to creep out of the statute.” Among the readings which deserve especially to be remembered, are the following, nearly all of which are still extant.

13 Edward I., chap. xii., ‘The statute de Donis Conditionalibus,’ by Sir Thomas Littleton, Reader in the Inner Temple, temp. Hen. VI.\*

Magna Charta, chap. xvi.,† by Sir Robert Brooke, Reader of the Middle Temple, temp. Hen. VIII.,

\* 1 Inst. Pref.

† Lond., 1641, and Harl. MS., 5225.

Recorder of London, and afterwards Lord Chief Justice of the Common Pleas.

3 Edw. I., chap. i., 'Religious and Civil Peace,' by Thomas Marrow, Serjeant at Law, temp. Hen. VII.

27 Edw., st. 1, chap. i., 'Fines,' comprising twenty-three readings, by Sir Edward Coke, Reader of the Inner Temple, temp. Eliz.

17 Edw. II., st. 1, chap. i., &c., 'The King's Prerogative,' by William Staunforde, Reader of Gray's Inn, temp. Hen. VIII.

25 Edw. III., chap. ii., 'Treasons,' by Robert Holborne, Reader, Lincoln's Inn, temp. Car. I.

4 Hen. VII., chap. xxiv., 'Fines,' by John Densel,\* Reader, Lincoln's Inn, temp. Hen. VIII.

2 Hen. VII., chap. xx., 'Jointures,' by William Daniels, Reader of Gray's Inn, and afterwards one of the Justices of the Common Pleas. temp. Eliz.

23 Hen. VIII., chap. v., 'Sewers,' by Robert Callis, Reader of Gray's Inn, temp. Jac. I. 1622.

3 Hen. VIII., chap. iii.,† by John Hearne, Reader of Lincoln's Inn, temp. Car. I.

27 Hen. VIII., chap. x., 'Uses,' by Sir Francis Bacon, Reader of Gray's Inn, temp. Eliz.

'Jointures,' by Sir John Brograve, Reader of Gray's Inn, Attorney-General of the Duchy of Lancaster, temp. Eliz.,

28 Hen. VIII., chap. ii., 'Limitations,' by Sir

\* Sometimes spelt Denshall.

† Translated from a French MS., 1659.

Robert Brook, Reader of the Middle Temple, temp. Edw. VI.

34 and 35 Hen. VIII., chap. xxxii., 'Wills,' by that great and eminent sage of the law, Sir James Dyer, Reader of the Middle Temple, temp. Edw. VI.

35 Hen. VIII., chap. vi., 'Trials by Jury of Twelve Men,'\* by Thomas Williams, Reader of the Inner Temple, temp. Philip and Mary, and some time Speaker of the House of Commons.

13 Eliz., chap. vii., 'Bankrupts,' by John Stone, Reader of Inner Temple, temp. Jac. I.†

43 Eliz., chap. iv., 'Charitable Uses,' by Sir Francis Moore, Reader of the Middle Temple, and Serjeant at Law, temp. Jac. I.

'Prerogativa Regis,' by Robert Constable, Reader of Lincoln's Inn, temp. Hen. VII.‡

'De Prerogativa Regis,' by George Willowby, Reader of the Inner Temple, temp. Edw. VI.§

32 Hen. VIII., by William Symonds, Reader of the Inner Temple, temp. Ph. & M.||

21 Hen. VIII., by John Jeffereys, Reader of Lincoln's Inn, temp. Jac. I.¶

43 Eliz., chap. i., by William Jones, Reader of Lincoln's Inn, temp. Jac. I.\*\*

Statute of 'Fines,' by Francis North, afterwards

\* These readings are in French, and were printed A.D. 1680.

† In the MS. copy of these readings Mus. Brit., the author is described as "John Stone of Grayes Inne, Esq."

‡ Harl. MSS., 1692.

§ Ibid.

|| Ibid.

¶ Harl. MSS., 1691.

\*\* Ibid.

Lord Keeper Guildford, Reader of the Middle Temple, temp. Car. II.

21 Hen. VIII., chap. xix., 'Avowries,' by Thomas Ridsen,\* Reader of the Inner Temple, temp. Eliz.

8 Hen. VI., chap. ix., 'Forcible Entry,' by Thos. Ridsen, Reader of the Inner Temple, temp. Eliz.†

'Copyholds,' by Charles Calthorpe, Reader of Lincoln's Inn, temp. Eliz.‡

Magna Charta, cap. xxix. The Reader's speech of the Middle Temple at the entrance into his reading, Feb. 29, 1663-4.§

There is also extant a volume in French, printed 1680, entitled 'Les Cases de Grey's Inn,' containing points which had been mooted in that house.

Sir Anthony Fitzherbert's tract (4 Edw. I.) 'Surveyinge,' is usually classed under the head of readings. It may have been read, before publication, in Gray's Inn Hall, but of this I find no certain proof.

Lord Bacon's readings on the 'Statute of Uses,' Callis || on 'Sewers,' and Ridsen on 'Forcible Entry,' are justly esteemed as models of this kind of composition, and are still in high repute in the profession.

Stow gives the following account of the manner of the readings in his day:—"The benchers appoint the eldest utter-barrister to read amongst them openly in the hall, of which he hath notice half a year before. The first day he makes choice of some act or statute

\* In French, Lond., 1680.

† Lond., 1648.

‡ Lond., 1635.

§ Lond., 1664.

|| An edition of this valuable work was published in 1824, by W. T. Broadrip, Esq., of Lincoln's Inn.

whereupon he grounds his whole reading for that vacation. He reciteth certain doubts and questions which he hath devised upon the said statute, and declares his judgment thereon. After which, one of the utter-barristers repeateth one question propounded by the reader, and by way of argument doth labour to prove the reader's opinion to be against law. And after him, the senior utter-barrister and reader, one after another do declare their opinions and judgments in the same. And then the reader who did put the case, endeavours to confute the objections laid against him, and to confirm his own opinion. After which, the judges and serjeants, if any there be, declare their opinions. Then the youngest utter-barrister again rehearseth another case, which is prosecuted as the former was. And this exercise continueth daily three or four hours. The manner of reading both in Lent and Summer vacations, are performed after the same manner; and usually out of these readers the serjeants are chosen." The following is one of the last orders that was issued respecting readings; some of its provisions will create a smile:—

Orders to be observed in the Houses of Court, subscribed by all the Judges of England, Term. Hill. A. D. 1627.

1. That henceforth every year, or at least every second year, there shall be a double reader chosen in every house of court to read.

2. That the Lent reader shall begin his reading the first Monday in Lent, unless it fall in term, and in such case it shall begin at such day after as hath been used in

the several houses. And every summer reader shall begin the first Monday in August.

The double readers shall continue their reading by the space of one whole week at least, and the single reader shall continue by the space of a fortnight at the least, and in that time to read as often as hath been used in the several houses.

3. No reader shall have above the number of ten men to attend him during his reading; and every reader, the Sunday before the beginning of his reading, shall repair to the sermon at Paul's Cross, and whilst he is there shall wear his cap in such decent and orderly manner as hath been anciently used.

4. That no reader shall give exceedings throughout the hall above thrice in the week, and that at dinner only.

5. That every reader shall make and put in his reading so many cases as hath been most commonly used in the same house where he readeth, and not fewer.

6. That no reader in court shall practise at the bar at Westminster, but with his reader's gown, with the velvet welt on the back; and that none but readers in court shall at all wear or use any such gowns.

7. That all readers, benchers, barristers, and other students and fellows, in every house of court and chancery, shall repair to the hall at dinner, supper, and exercises, in their caps, and not in hats; and shall likewise repair to the church, chapel, and place of prayer in their caps.

8. That no fellows or students in any houses of court or chancery shall come into the hall, church, chapel, or place of prayer with boots, but orderly and civilly, as anciently hath been used, upon pain that such as wilfully or contemptuously break these two last orders, or either of them, for the first time shall be put out of commons until he be restored upon suit to the bench; and for the second time fined at the pleasure of the bench; and the third time shall be expelled the house.



9. And such reader as shall contemptuously break any of the orders aforesaid, shall not be suffered to practise at any bar at Westminster or at the assizes.

|                  |                |
|------------------|----------------|
| NICHOLAS HYDE.   | JOHN WALTER.   |
| THO. RICHARDSON. | JOHN DENHAM.   |
| JOHN DODDERIDGE. | WILL. JONES.   |
| RICHARD HUTTON.  | FRANC. HARVEY. |
| JAMES WHITLOCK.  | THOMAS TREVOR. |
| GEORGE CROOKE.   | GEORGE VERNON. |
| H. YELVERTON.    |                |

These readings, in lapse of time, became to be attended with costly entertainments, which eventually led to the suspension of these valuable exercises. Some examples will be hereafter given of the magnificent profusion of the readers' feasts, the expense of which frequently exceeded 1000*l*. It will be sufficient here to observe, that the original object of the readings was forgotten in the splendour of the table, and that the reader's duty having become rather to feast the nobility, judges, bishops, chief officers of state, the principal gentry, and sometimes the king himself, than to instruct his audience in the principles of law; these readings fell into contempt, and were at length discontinued, much to the regret of every one who wished to witness the advancement of the science of law, and was desirous that the Inns of Court should maintain, unimpaired, the reputation bequeathed to them by the Littletons, Dyers, Plowdens, Bacons, Fitzherberts, Finches, Cokes, and other sages of the law. After the lapse of nearly a century, readings were

revived in Gray's Inn, by Danby Pickering, Esq., 1780; in Lincoln's Inn, by Michael Nolan, Esq., 1796; and, after him, by Sir James Mackintosh; and, more recently, in the Inner Temple, by Thomas Starkie, Esq., one of her majesty's counsel; and Lectures on different branches of the law are now established in the Middle Temple, Gray's Inn, the Inner Temple, and Lincoln's Inn, by the benchers of those societies.

As to the manner of mooting in the Inns of Court and Chancery, Stow gives the following account:—  
“In these vacations after supper, in the hall, the reader, with one or two of the benchers, comes in, to whom one of the utter-barristers propounds *some doubtful case*, which, being argued by the benchers, and lastly, by him that moved the case, the benchers sit down on the bench at the upper end of the hall; and upon the form in the middle of the hall sit two utter barristers; and on both sides of them, on the same form, sits one inner barrister, who in law French doth declare to the benchers some kind of action; the one being as it were retained for the plaintiff, and the other for the defendant: which ended, the two utter barristers argue such questions as are disputable within the said case; after which, the benchers do likewise declare their opinions, as how they take the law to be in these questions.”\*

\* Sir Symonds d'Ewes gives a particular account of the mootings and exercises performed by him during his period of study in the Middle Temple. “I had twice mooted in law

Mootings are now conducted in a somewhat different manner. Forensic societies, composed of members of the Four Inns of Court, meet weekly, during the greater part of the year, in Lyon's Inn Hall, for the discussion of points of law, and at stated intervals, of questions on general subjects. The questions\* are selected by a committee, and references to two cases are usually given; two speakers are appointed to speak in the affirmative, and two in the negative, and, after they have delivered their arguments, the other members follow. A president is chosen from among the society, and the proceedings are invariably conducted with regularity and decorum. There are three of these societies, each comprising members of the Four Inns; the numbers of each being limited.

French before I was called to the bar, and several times after I was made an utter-barrister, in our open hall. Thrice also before I was of the bar, I argued the reader's cases at the Inns of Chancery publicly, and six times afterwards. And then also, being an utter-barrister, I had twice argued our Middle Temple reader's case at the cup-board, and sat nine times in our hall at the bench, and argued such cases in English as had before been argued by young gentlemen or utter-barristers in law French bareheaded."

\* The questions are usually put in the following shape :—

*Monday, May 10th.*

Is a freeholder *civilly* liable for a forcible entry on his own freehold? *Newton v. Harland*, 1 M. and G. 644; *Harvey v. Lady Bridges*, 9 Jur. 759.

*Affirmative.*

*President.*

*Negative.*

B——.

P——.

B——.

B——.

G——.

It deserves notice that, at periods long anterior to the Reformation, the Holy Scriptures were studied in the Inns of Court, a fact which has been overlooked by those who have supposed that, prior to that era, the sacred volume was altogether a 'sealed book' to the laity. The author of the '*Mir-oir Aux Justices*' having recounted the perversions of the law, which induced him to compile that compendium, says, "Taking the same into my serious consideration, and the foundation and original of the usages of England, given by the law, together with the rewards of good judges, and the punishment of others, I thought it needful (wherein my companions gave me their assistance), to study the Old and New Testament, and therein we found, that the law is nothing else but rules, delivered by our holy predecessors, in the Holy Scriptures, for the saving of souls from perpetual damnation, notwithstanding that the same were disused by false judges. And we found that the Holy Scripture remained in the Old and New Testament." Fortescue, who lived in the reign of Henry VI., in his account of the '*Studies in the Inns of Court and Chancery*,' expressly tells us: "On the working days, most of them [the students] apply themselves to the study of the law; and, on the holy days, to the study of the Sacred Scriptures; and, out of the time of divine service, to the reading of Chronicles; for there, indeed, are virtues studied, and vices exiled." Quotations from the inspired volume occur frequently in Fortescue's

work, 'De Laudibus,' &c., which shew that he was intimately acquainted with both the Old and New Testaments. When we remember that, at this period, according to Fortescue's computation, there were, at the least, one hundred students in each of the ten lesser inns, and two hundred in each of the Four Inns of Court, it seems to follow, that a large proportion of the educated classes among the laity in this country, had opportunities of becoming familiar with the contents of the Bible. In the 'Doctor and Student,' another of our ancient books, the author of which lived A.D. 1460, there are also many references to the Law, Prophets, and Evangelists: "For a law," it is remarked, "is not properly called the law of God because it was shewed by the revelation of God, but also because it directed a man by the nearest way to the felicity eternal, as being the laws of the Old Testament, that being called morals, and the laws of the Evangelists, the which were shewed in a much more excellent manner than the law of the Old Testament was; for that was shewed by the mediation of an angel, but the law of the Evangelists was shewed by the mediation of our Lord Jesus Christ, God and man. And the law of God is always righteous and just, for it was made and given after the will of God; and, therefore, all acts and deeds of man be called righteous and just, when they be done according to the law of God."

There was another study pursued by our early

lawyers with great zeal, which in modern times has been almost totally neglected, that of Logic. "He was learned," says Lord Coke, speaking of Littleton, "in that art which is so necessary to a complete lawyer, I mean logic, as you shall perceive by reading of these Institutes, wherein are observed his syllogisms, inductions, and other arguments, &c." Lord Bacon, it is said by those who do not discern between logic and the scholastic subtleties of the schoolmen, has overthrown logic; but Bacon himself, in his 'Essay on Studies,' tells us—"Histories make men wise; poets, witty; the mathematics, subtle; natural philosophy, deep; moral, grave; *logic and rhetoric, able to contend.*" My own view agrees with the poet:—

"If lawes by *reason* framed were, and grounded on the  
 same;  
 If logicke also reason bee, and therefore had this name;  
 I see no reason, why law and logike should not be  
 The nearest and the dearest freends, and therefore best  
 agree." \*

At the present day the study of the law is pursued, firstly, by silent study in the libraries of the Inns, which are furnished with every work necessary to make an expert lawyer; secondly, by entering the chambers of a practising special pleader or conveyancer; thirdly, by joining the discussions at the forensic societies, held in Lyon's Inn Hall, and fourthly, by attending at the courts; and from henceforward

\* The Lawier's Logike, 1588.

every student will be required to attend courses of lectures in one of the Inns of Court. The fee on entering a pleader's or conveyancer's chambers, where the pupils draw pleadings and conveyances, is, for one year, one hundred guineas, for six months, fifty guineas;—an expense to which every person, seriously intending to practise the law, with very rare exceptions, feels it necessary to subject himself to. Now it would obviously tend very much to invigorate the Inns of Court, to promote their utility, extend the benefits of the newly-established lectures, and restore the ancient discipline of these houses, if an experienced special pleader and conveyancer, or equity draughtsman were appointed by the bench in each Inn at liberal salaries, with liberty to practise at their discretion; every student being obliged (unless under very special circumstances) to attend the chambers of either of such pleaders or conveyancers for one year, paying the sum of fifty guineas to the funds of the society; an examination being held once a year, and a certain number of successful candidates receiving back the fee paid on entering upon this course of study.

In the time of Fortescue, temp. Hen. VI., there seem to have been then about eighteen hundred or two thousand students in the Inns of Court and Chancery. "For," he says, "there be ten lesser houses or inns, and sometimes more, which are called Inns of Chancery. And to every one of them belongeth a

hundred students, at the least, and to some of them a much greater number, though they be not ever all together in the same. Those students for the most part of them, are young men, learning or studying the originals, and as it were, the elements of the law, who, profiting therein as they grow to ripeness, are admitted into the greater inns of the same study, called the Inns of Court, of which greater inns there are four in number. And to the least of them belongeth in form above-mentioned, two hundred students, or there about."

From a MS. in Lord Burghley's collection, dated April, 1586, the following appears to be the relative number of students in the Inns of Court and Chancery at that period, both in and out of term:—

|                       |         |      |             |      |
|-----------------------|---------|------|-------------|------|
| Inner Temple,         | in term | 200  | out of term | 80   |
| Clement's Inn,        | „       | 100  | „           | 20   |
| Clifford's Inn,       | „       | 110  | „           | 20   |
| Lyon's Inn,           | „       | 80   | „           | 30   |
|                       |         | —490 |             | —150 |
| Middle Temple,        | in term | 200  | out of term | 50   |
| New Inn,              | „       | 80   | „           | 20   |
|                       |         | —280 |             | — 70 |
| Lincoln's Inn,        | in term | 200  | out of term | 50   |
| Thavies Inn,          | „       | 40   | „           | 20   |
| Furnival's Inn,       | „       | 80   | „           | 30   |
|                       |         | —320 |             | —100 |
| Carried forward . . . |         | 1090 |             | 320  |



|                 |           |        |             |       |
|-----------------|-----------|--------|-------------|-------|
| Brought forward | . .       | 1090   |             | 320   |
| Gray's Inn,     | in term*  | 356    | out of term | 229   |
| Barnard's Inn,  | ,,        | 112    | ,,          | 24    |
| Staple Inn,     | ,,        | 145    | ,,          | 69    |
|                 |           | —      | 613         | — 322 |
| In ter. total,  |           | —      | In vac.     | —     |
|                 | Omn. Dom. | . 1703 | Omn. Dom.   | 642†  |
|                 |           | —      |             | —     |

\* In the same MS. Collection there is a parchment containing the names of each of these 356 students.

† The number of students in the Inns of Court, admitted in the undermentioned years, was as follows :—

|               | 1821. | 1831. | 1833. |
|---------------|-------|-------|-------|
| Lincoln's Inn | 61    | 101   | 94    |
| Inner Temple  | 59    | 42    | 70    |
| Middle Temple | 44    | 61    | 48    |
| Gray's Inn    | 40    | 64    | 61    |

*Rep. Com. L. Com. VI.*

## CHAPTER V.

## INNS OF COURT MASQUES.

IN the infancy of the English drama plays and masques were frequently performed in the halls of the Inns of Court; such performances being deemed polite relaxations, in which even the gravest lawyers and statesmen might participate without loss of dignity, and which, while they afforded pleasure as well to the masker as the favoured spectator, tended to elevate the literary taste and cultivate the rhetorical powers of the students, giving strength to the voice, and ease to the gesture. The pieces represented were, with few exceptions, the productions of the gentlemen of the four societies. The performances were sanctioned by the 'grave and reverend bench;' and being honoured and singularly favoured by the reigning vereigns, to whom they were often presented as most acceptable tributes of loyal attachment, and who, occasionally, even condescended to sustain parts in masques themselves, they were repeatedly produced with extraordinary splendour, at a great cost, sometimes borne by the four inns jointly, but more frequently defrayed at the charge of the inns separately.

The first entertainment of this kind, of which we have specific notice, is mentioned by Hall in his 'Chronicles.' Giving an account of the events of the 18th year of Henry VIII., he says: "This Christmas was a goodly disguising plaied at Greis inne, whiche was compiled for the moste part by master Jhon Roo serjant at the law, xx yere past, and long before the Cardinall had any auctoritie; the effecte of the plaie was that lord gouernance was ruled by dissipation and negligence, by whose misgouernance and euil order, lady Publike wele was put from gouernance: which caused rumor populi, inward grudge and disdain of wanton soveraignetie, to rise with a great multitude to expell negligence and dissipation, and to restore Publike welth again to her estate, which was so doen. This plaie was so set furth, with riche and costly apparel, with straunge diuises of masks and morrishes that it was highly praised of all menne, sauyng of the Cardinall, whiche imagined that the plaie had been deuised of hym and in a greate furie sent for the said master Roo, and toke from hym his coyfe, and sent him to the Flete, and after he sent for the young gentlemen, that plaied in the plaie and them highly rebuked and thretened, and sent one of them called Thomas Moyle, of Kent, to the Flete, but by the meanes of frendes, master Roo, and he wer deliuered at last. This plaie sore displeased the Cardinall, and yet it was never meante to hym, as you haue harde, wherefore many wisemen grudged to see

\* Wolsey.

hym take it so hartely, and ever the Cardinall said that the kyng was highly displeased with it and spake nothyng of hymself." \* Fox, in his ' Acts and Monuments,'† in his memoir of Simon Fish, Esq., of Gray's Inn, one of the gentlemen who acted in the piece, gives the following version of the affair, derived, it seems, from a verbal statement made by Fish's wife:‡ " The authority of the bishop of Rome and the glory of his cardinals was not so high, but such as had fresh wits, sparkled with God's grace, began to espy Christ from Anti-Christ, that is true sincerity from counterfeit religion. In the number of whom was Mr. Simon Fish, a gentleman of Gray's Inn. It happened the first year that this gentleman came to London to dwell, which was about the year of our Lord 1525, that there was a certain play or interlude made by one M. Roo of the same inn gentleman, in which play partly was matter against the Cardinal Wolsey; and where none durst take upon them to play that part which touched the said Cardinal this aforesaid M. Fish took upon him to do it. Whereupon great displeasure ensued against him on the cardinal's part, in so much as he being pursued by the said Cardinal the

\* Holinshed, recording the same event, remarks :—" But what will you have of a guilty conscience but to suspect all things to be said of him (as if all the world knew his wickedness), according to the old verse :—

" Conscius ipse sibi de se putat omnia dici."

† Vol. ii. p. 279, ed. 1641.

‡ "Ex certa relatione vivoque testimonio propriæ ipsius conjugis."

same night that this tragedy was played, was compelled of force to void his own house, and so fled over the sea to Tindal." During his residence in Germany Fish composed a work called the 'Supplication of Beggars,' attacking the monastic orders in England, which is printed at length by Fox.

Roo's play appears never to have been printed; and I have not been able to discover a manuscript copy of it. It is not noticed in 'An exact Catalogue of Comedies, Tragedies, Tragico-Comedies, Operas, Masks, and Pastorals, that ever were published till this present year,' printed at the Oxford University Press, A. D. 1680. There can be little doubt that Hall, who was a member of Gray's Inn, has stated the facts accurately; he is confirmed by Holinshed; and Fox appears to have hastily adopted the story of Mrs. Fish, which seems to have been rather too highly coloured.

*The Tragedie of Ferrex and Porrex* (originally called the tragedie of *Gorboduc*) is the earliest piece extant in English that can properly be termed a tragedy. It was the composition of Thomas Sackville, afterwards Lord Buckhurst, and Thomas Norton, both barristers of the Inner Temple, and was played before Queen Elizabeth on the 13th January, 1561, by the gentlemen of the Inner Temple. It had originally been prepared "for furniture of part of the grand Christmas," in the Inner Temple. Gorboduc, king of Britain, divided his realm in his life-time to his sons Ferrex and Porrex. The sons fell to dissention.

The younger killed the elder. The mother, that more dearly loved the elder, for revenge killed the younger. The people, moved with the cruelty of the fact, rose in rebellion, and slew father and mother. The nobility assembled and most terribly destroyed the rebels; and afterwards, for want of issue of the prince, whereby the succession of the crown became uncertain, they fell to civil war, in which both they and many of their issue were slain, and the land for a long time remained desolate and miserably wasted. Such is the argument. A dumb show precedes each of the five acts: the first four acts are closed by choruses, and the fifth by a didactic speech of considerable length. There is a curious entry in an old manuscript in the Cottonian collection respecting this performance: "there was a play in the quens hall at Westmynster by the gentyll men of the Tempull after a grett maske, for there was a grett skaffold in the hall with grett tryhumpe as has bene sene."

In the year 1582 was printed 'The most excellent Comedie of two the most faithfullest friends *Damon and Pithias*, as the same was shewed before the Queen's majesty by the children of her grace's chapel,' A.D. 1571.\* It was the production of Richard Edwards, a gentleman of Lincoln's Inn, of which society he was esteemed an ornament. It was most probably first produced in Lincoln's Inn Hall. It seems to have been played before Queen Elizabeth at Oxford in 1566;

\* "Imprinted by Richarde Jones, dwelling neer unto *Holborne Bridge*, over against the sign of the Faulcon."

and is accounted the first English tragedy on a classical subject.

In the same year two plays, the production of George Gascoyne,\* assisted by Christopher Yelverton and Francis Kinnelmersh—one the *Supposes*, a comedy adapted from Ariosto, the other *Jocasta*, a tragedy from Euripides, were acted in Gray's Inn Hall. At Shrovetide, 1565, the gentlemen of Gray's Inn, it is recorded, presented her majesty with "divers shows," including probably the play of *Diana and Pallas*, which was then much in vogue.

In 1568 a tragedy called *Tancred and Gismunda*, the plot of which was taken from an Italian novel, was played before the Queen by the members of the Inner Temple: the fourth act being composed by Christopher Hatton, afterwards Lord Chancellor.†

There is a paper in the Lansdowne MSS. containing the names of the performers in a piece produced in Gray's Inn Hall on the 16th January, 1587. It is indorsed in Lord Burghley's hand-writing:—"xvi,

\* Gascoyne was the author of the masque exhibited before Queen Elizabeth, on the occasion of her visit to the Earl of Leicester at Kenilworth Castle, in 1575. The following is a tribute to his genius by a contemporary poet.

"Chaucer by writing purchased fame,  
And Gower got a worthier name;  
Sweet Turney suckt Parnassus' springs  
And Wiatt wrote of wonderous things.  
Old Rockfort clambe the statlie throne  
Which Muses held in Helicone,  
Then thither let good Gascoigne go,  
For sure his verse deserveth so."

† See Chap. VIII. INNER TEMPLE.

Jan. 1587 the names of the gentlemen of Gray's In that played there a comedy before the Ld. Burghley, L. Tr., Earl of Leicester, Lord Steward, Earl of Warwick, Earl of Ormond, Lord Grey of Wilton:—”

DOMINUS DE PURPOOLE, HATCLYFF.

|                     |           |   |                      |
|---------------------|-----------|---|----------------------|
| The Prologue        | .         | . | ELLIS.               |
| Hidaspis, the sonn  | .         | . | CAMPION.*            |
| Manilius, madd      | .         | . | ANDERTON.            |
| Pyso                | .         | . | FARNLEY.             |
| Lucius              | .         | . | ASHLEY.              |
| Mummius, old man    | .         | . | TOPHAM.              |
| Byrria, parasite    | .         | . | STAVERTON.           |
| Flamantia, curtezan | .         | . | SANDFORT.            |
| Sir Delicato        | .         | . | SIR PETER SHAKERLEY. |
| Catelyne            | .         | . | RHODES.              |
| Clodius             | .         | . | STANFORT.            |
| Sallust             | .         | . | CRWE.                |
| Cato                | } censors | { | HULTON.              |
| Crassus             |           |   | WILLIAMSON.          |
| Scilla, dictator    | .         | . | MONTFORT.            |
| Cinna, 1st consull  | .         | . | DAVENPORT.           |
| 2nd consull         | .         | . | STARKEY.             |
| Tribunus plebis     | .         | . | SMYTH.               |
| Melancoly           | .         | . | CAMPION.             |
| Epilogue            | .         | . | ELLIS.               |

MASQUERS.

|           |           |
|-----------|-----------|
| RHODES.   | ROSS.     |
| LUTTRELL. | PENISTON. |
| CHAMPRES. | DAYE.     |

The names inside the MS. are written in a fair, bold

\* There is in the Garrick collection a description of Masque before the King's Majesty at Whitehall, on Twelfth Night, 1607, in honour of the Lord Hayes and his bride, by Thomas Campion, described in the tract as a 'Doctor of Phisicke.'



hand; the indorsement, apparently in Lord Burghley's hand-writing, is cramped, and the words are contracted.

A work entitled 'Certaine Devises and Shewes presented to her Majestie by the Gentlemen of Grayes-Inne, at her Highnesse Court in Greenwich, the twenty-eighth Day of Februarie, in the thirtieth Year of her Majesties most happy Raigne,' printed in the reign of Queen Elizabeth, is not contained in any collection with which I am acquainted.\* The subject is the misfortunes of Arthur Uther, Pendragon's son; 'reduced into tragical notes, by Thomas Hughes, one of the societie of Grayes Inn;' and preceded by an introduction, penned by Nicholas Trotte, gentleman, one of the society, which, we are informed, was pronounced in the manner following:—"Three muses came upon the stage, apparelled accordingly, bringing five gentlemen students, with them attyred in their usual garments, whom one of the Muses presented to her majestie as captives; the cause whereof she delivered by speech;" a copy of which is here given, as a specimen of the ancient masques:—

"Of conquest, gracious Queen, the signs and fruits,  
Achiev'd 'gainst such, as wrongfully withheld  
The service by choice wits to Muses due,  
In humblest wise, these captives we present.  
And least your highness might suspect the gift  
As spoile of War, that Justice might impeach;  
Heare and discerne how just our quarrel was  
Avowed (as you see) by good success.  
A Dame there is, whom men Astrea term,

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\* At London. Printed by Robert Robinson, 1587.

She that pronounceth Oracles of Laws,  
Who to prepare fit servants for her train  
As by commission takes up flowering wits,  
Whom first she schooleth to forget and scorn  
The noble skills of language and of arts,  
The wisdom which discourse of stories teach,  
The ornaments which various knowledge yields ;  
But Poesie she hath in most disdain  
And marshalls it next Follys scorned place.  
Then when she hath these worthy prints defac'd  
Out of the minds that can endure her hand,  
What doth she then supply in stead of these ?  
Forsooth some old reports of altered laws,  
Clamours of courts and cavils upon words,  
Grounds without ground, supported by conceit,  
And reasons of more subtlety than sense,  
What shall I say of *Moot points* strange, and doubts,  
Still argued but never yet agreed ?  
And she that doth deride the poet's law,  
Because he must his words in order place,  
Forgets her forms of pleading more precise,  
More bound to words than is the Poet's lore :  
And for these fine concerts she fitly chose  
A tongue that Barbarism itself doth use.  
We noting all these wrongs did long expect  
Their hard condition would have made them wise,  
To offer us their service plac'd so ill,  
But finding them addicted to their choice,  
And specially desirous to present  
Your Majesty with fruits of Province new,  
Now did resolve to double force and skill,  
And found and used the vantage of the time  
Surprised their fort and took them captives all.  
So now submissive, as to their state belongs  
They gladly yield their homage long withdrawn,  
And Poetry which they did most contemn,

They glory now her favours for to wear.  
My sisters laught to see them take the pen,  
And lose their wits all in unwonted walks.  
But to your highness that delight we leave  
To see these Poets new their Stile advance.  
Such as they are, or naught or little worth,  
Deign to accept and therewith we beseech  
That novelty give price to worthless things."

"Unto this speech," we are informed, "one of the gentlemen answered as followeth;" addressing the Muses:—

"Good Ladies, unacquaint with cunning reach,  
And easy led to glory in your power,  
Hear now abasht our late dissembled mindes  
Nor not the first time as your selves best know,  
Ye Muses sought our service to command:  
Oft have ye wandered from Pernassus hill,  
And showed your selves with sweet and tempting grace  
But yet returned your train increased with few,  
This resolution doth continue still.  
Unto Astrea's name we honour bear,  
Whose sound perfections we do more admire,  
Than all the vaunted store of Muses gifts.  
Let this be one (which last you put in ure,  
In well depraving that deserveth praise)  
No eloquence, disguising reasons shape,  
Nor Poetry, each vain affections nurse,  
No various history that doth lead the mind  
Abroad to ancient tales from instant use,  
Nor these, nor other moe, too long to note,  
Can win Astrea's servants to remove  
Their service, once devote to better things.  
They with attentive minds and serious wits,  
Revolve records of deep judicial Acts,  
They weigh with steady and indifferent hand

Each word of law, each circumstance of right,  
They hold the grounds which time and use have smooth'd  
(Though shallow sense conceive them as conceits)  
Presumptuous sense, whose ignorance dare judge  
Of things remov'd by reason from her reach.  
One doubt in moots by argument encreas'd,  
Clears many doubts, experience doth object :  
The language she first chose, and still retains,  
Exhibits naked truth in aptest terms.  
Our Industry mentaineth unimpeach'd  
Prerogative of Prince, respect to Peers,  
The Commons Liberty, and each man's right :  
Suppresseth mutin force and practicke fraud,  
Things that for worth our studious care deferue.  
Yet never did we banish or reject  
Those ornaments of knowledge nor of tongues :  
That slander envious ignorance did raise.  
With Muses still we intercourse allow,  
T' enrich our state with all their forreine freight :  
But never homage nor acknowledgement  
Such as of subjects alliegance doth require.  
Now here the cause of your late conquest won  
We had discovered your intent to be  
(And sure ye Ladies are not secret all  
Speech and not silence is the Muses grace)  
We well perceiv'd (I say) your mind to be  
T' imploy such prisoners, as themselves did yield  
To serve a Queen, for whom her purest gold  
Nature refined, that she might therein set  
Both private and imperial virtues all.  
Thus (Sovereign Lady of our laws and us)  
Zeal may transform us into any shape.  
We, which with trembling hand the penne did guide  
Never well pleased all for desire to please,  
For still your rare perfections did occur,  
Which are admir'd of Muses and of men.

Oh, with how steady hand and heart assur'd,  
 Should we take up the warlike lance or sword,  
 With mind resolved to spend our loyal blood,  
 Your least command with speed to execute.  
 O, that before our time the fleeting ship  
 Ne'r wandered had in watry wilderness,  
 That we might first that venture undertake  
 In strange attempt t' approve our loyal hearts.  
 Be it soldiers, seamen, poets, or what else,  
 In service once enjoined to ready minds,  
 Our want of use should our devoyer encrease.  
 Now, since instead of art we bring our zeal,  
 Instead of praise we humbly pardon crave,  
 The matter which we purpose to present,  
 Since straits of time our liberty controuls  
 In tragic note the plagues of vice recounts.  
 How suits a tragedy for such a time?  
 Thus, for that since your Majesty  
 In gracious hands the regal sceptre held,  
 All tragedies are fled from State, to Stage."

NICHOLAS TROTTE.

The piece is written throughout in blank verse, and, with the exception of *Forrex* and *Porrex* already mentioned, is one of the earliest productions of this kind. • It is divided into five acts; a dumb show preceding each act. There is a chorus in rhyme at the close of the first four acts; and the last act is closed by an epilogue. The following is a stanza from one of the choruses:—

" Ye Princely Peers extolled to feats of state,  
 Seek not the fair, that soon will turn to foul:  
 Oft is the fall of high and hovering Fate,  
 And rare the roome\* which time doth not controul.

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\* Royame.

The safest seat is not the highest hill,  
 Where winds, and stormes, and thunders thump their ill;  
 Far safer were to follow sound advice,  
 Than for such pride to pay so dear a price."

Two speeches "penned by William Fulbecke, gentleman, one of the Society of Grayes-Inne," which were substituted in the first and fifth acts for speeches written by Hughes, are appended to the play, and the following memorandum closes the piece:—"Besides these speeches there was also penned a chorus for the first act and another for the second act, by Maister Frauncis Flower, which were pronounced accordingly. The dumb shews were partly dressed by Maister Christopher Yelverton, *Maister Francis Bacon*,\* Maister John Lancaster and others, and partly by the said Maister Flower, with Maister Penrodocke, and the said Maister Lancaster directed these proceedings at court."

The *Inner Temple Masque* is a short production of great beauty, the composition of William Browne, a gentleman of that society, who was born at Tavistock, Devon, in the year 1590. Browne was highly esteemed in the Elizabethan era, and was much valued by the poet Drayton, who thus alludes to him:—

"Then the two Beaumonts and my Browne arose,  
 My dear companions whom I freely chose  
 My bosom friends; and in their several ways  
 Rightly born poets."

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\* Lord Bacon, it appears, by a MS. in the Cottonian Collection, was in the year 1601 in debt to Trotte, 1800*l*.

Browne dedicates the Masque to the Honourable Society of the Inner Temple, in the following terms:—  
“ Gentlemen, I give you but your own: If you refuse to foster it, I know not who will. By your means it may live. If it degenerate in kind from those other the society hath produced, blame yourselves for not seeking a happier muse. I know it is not without faults, yet such as your loves, or at least *poetica licentia* (the common salve) will make tolerable. What is good in it, that is yours; what is bad mine; what indifferent, both; and that will suffice, since it was done to please ourselves in private by him that is always yours, W. Browne.” The subject of the piece is the story of Ulysses and the Syrens; it opens with the following song:—

“ Steer, hither steer, your winged pines,  
All beaten mariners,  
Here lie Love’s undiscovered mines,  
A prey to passengers;  
Perfumes far sweeter than the best,  
Which make the Phoenix urne and nest.  
Fear not your ships,  
Nor any to oppose you, save our lips,  
But come on shore,  
Where no joy dies till Love hath gotten more.  
For swelling waves our panting breasts,  
Where never storms arise,  
Exchange; and he awhile our guests,  
For stars gaze on our eyes.  
The compass, love shall hourly sing,  
And as he goes about the ring,  
We will not miss  
To tell each point he nameth with a kiss.”

This Masque, as the author intimates, was first produced in the hall of the Inner Temple, which was fitted up with appropriate scenery, discovering a cliff of the sea, with syrens seated upon it.

In a letter from Sir Francis Bacon to Lord Burghley not dated, he expresses his regret that a project for a joint masque from the four inns had failed. "Nevertheless, by cause it falleth owt, that at this tyme Graies Inne is well furnyshed of galant yowng gentlemen yr Lp. may be pleased to know that rather then this occasion shall passe withowt some demonstration of affection from the Innes of Court thear are a dozen gentlemen of Graies Inne, that out of the honour which they bear to your L. and my L. Chamberlayne to whom at theyr last maske they were so much bounden will be ready to furnysh a maske, wishing it were in their powers to performe it according to theyr myndes."

From a diary kept by a barrister, who is conjectured to have been John Manningham of the Middle Temple, it appears that Shakspeare's *Twelfth Night* was performed at the reader's feast, on Candlemas day, in the Middle Temple Hall:—"Feb. 2, 1601-(2). At our feast we had a play called *Twelve Night*, or *What You Will*, much like the *Comedy of Errors*, or *Menechmi* in Plautus, but most like, and neere to that in Italian, called *Ingauni*. A good practice in it to make the steward believe his widdowe was in love with him, by counterfayting a letter as from his lady; in generall termes telling him what shee liked



best in him, and prescribing his gestures, inscribing his apparaile, &c.; and then when he came to practise, making him believe they tooke him to be mad." About this period Shakspeare's *Twelfth Night* was also produced at the Blackfriars Theatre.

"The Masque of the Inner Temple and Grayes Inn: Grayes Inn and the Inner Temple," was composed by Beaumont and Fletcher, the former of whom was a student in the Inner Temple. It was presented in the Banqueting-house, Whitehall, on Saturday, the twentieth day of February, 1612, before King James, the Queen, the Prince, Count Palatine, and the Lady Elizabeth. The maskers, with their attendants and "divers others gallant young gentlemen 'of both houses as their convoy" set forth from Winchester house at seven o'clock at night. The voyage by water was performed in great triumph; the gentlemen maskers being placed by themselves in the king's royal barge, with the rich furniture of state, and adorned with a great number of lights. They were attended by a multitude of barges and galleys, accompanied with music and several peals of ordinance, the procession being led by two admirals. The king received the maskers with great condescension, and choice room was reserved for the gentlemen of both houses, who were led to their places by the Earl of Northampton, Lord Privy-Seal. The masque concludes with the following song:—

"Peace and silence be the guide  
To the Man, and to the Bride,

If there be a joy yet new  
 In marriage, let it fall on you,  
 That all the world may wonder.  
 If we should stay, we should do worse,  
 And turn our blessing to a curse,  
 By keeping you asunder."

Beaumont and Fletcher inscribe this masque 'To the worthy Sir Francis Bacon, his majesty's solicitor general, and the grave and learned bench of the anciently allied houses of Grayes Inn and the Inner Temple, and the Inner Temple and Grayes Inn.\*' This singular transposition in the names of the Inns, seems to have been adopted in order that the authors should not appear to give one inn priority above the other; in the title page the Inner Temple is placed first; Gray's Inn in the dedication. For the expenses of this masque, the following assessment was made in the Inner Temple and Gray's Inn. Readers 4*l.* each, ancients 2*l.* 10*s.* each, barristers 2*l.*, students 20*s.*

In the year 1610, a comedy called the *Fleire*, the production of Edward Sharpham, a gentleman of the Middle Temple, was printed, and was probably first acted in the Middle Temple Hall.

"The memorable maske of the two honourable houses or inns of court, the Middle Temple and

\* In token of this ancient amity the griffin of Gray's Inn is placed beneath the pegasus of the Inner Temple on the iron gate to the gardens, opposite the hall, in the latter inn, and the pegasus of the Inner Temple, is displayed over the gateway in Gray's Inn Square, as well as on the shields held by the griffins rampant at each side of the garden-gate in Field Court.

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Lincoln's Inn," \* performed before King James I., at Whitehall, on Shrove Monday night, the 15th of Feby., 1613, at the celebration of the nuptials of the Palsgrave and the Princess Elizabeth, seems to have been a magnificent pageant. Inigo Jones was employed on the occasion; the decorations being invented and fashioned by that artist. The play was "supplied, applied, digested, and written," by George Chapman; and he tells us in his preface, "A show at all parts so novel, conceitful, and glorious, hath not in this land (to the proper use and object it had proposed), been ever before held. Nor did those honourable inns of court, at any time in that kind such acceptable service to the sacred majesty of this kingdom, nor were returned by many degrees with so thrice-gracious and royal entertainment and honour." The gentlemen of the two combined houses (the Middle Temple and Lincoln's Inn) made their rendezvous at the house of Sir Edward Philips, Master of the Rolls, and thus set forth:—

"Fifty gentlemen richly attired, and as gallantly mounted, with footmen particularly attending, formed the vanguard. Next (a fit distance being observed between them) marched a mock maske of baboons, attired like fantastical travellers, in Neapolitan suits and great ruffs, all horst with asses, and dwarf pal-

\* In Sir George Buc and other old authors, I find Lincoln's Inn and the Middle Temple classed together as "ancient allies." From the earliest times there has been an interchange of fellowship between the four houses.

freys, with yellow foot-cloathes, and casting cockle-demois about, in courtesie, by way of largess; torches borne on either hand of them, lighting their state as ridiculously as the rest nobly. After them, were sorted two cars triumphal, adorned with great maske heads, festoons, scroles, and antick leaves, every part enriched with silver and gold. These were varied with different inventions, and in them advanced the choicest musicians of our kingdom, six in each, attired with great splendour; and about them marched two ranks of torchbearers. Then rode the chief maskers in Indian habits, all of a resemblance, the ground-cloth of silver, richly embroidered with golden suns, and about every sun ran a train of gold; betwixt every pane of embroidery went a row of estredge feathers, mingled with sprigs of gold plate; under their breasts they wore bawdricks of gold, embroidered high with purle, and about their necks ruffs of feathers spangled with pearl and silver; on their heads they wore feathers composed in coronets. The maskers riding single had every one his torchbearer mounted before him." After a long train of heralds and attendants, came a gorgeous chariot, over which was cast a canopy of gold, and in it were the *Dramatis Personæ* in proper costume. Honor, a Goddess; Plutus (or Riches) a God; Eunomia (or Law) Priest of Honor; Phemeis, Honor's Herald; Capriccio, a man of wit.

The principal part of this piece is in prose. A specimen of the dialogue is subjoined:—

*Plutus.* A man of wit? what's that? A beggar.

*Capriccio.* And yet no devil, Sir.

*Plut.* As I am, you mean.

*Capr.* Indeed, Sir, your kingdom is under the earth.

*Plut.* That's true, for riches is the Atlas that holds it up; it would sink else.

*Capr.* 'Tis rather a wonder it sinks not with you, Sir, you're so sinfully and d—ndably heavy.

*Plut.* Sinful? and d—ndable?—what, a Puritan? These bellows you wear on your head shew with what matter your head is puffed up, Sir. A religion-forger I see you are, and presume of inspiration from those bellows, with which ye study to blow up the settled governments of kingdoms.

*Capr.* Your worship knocks at a wrong door, Sir; I dwell far from the person you speak of.

This magnificent entertainment cost no less than 1086*l.* 8*s.* 11*d.*, a large sum considering the value of money in those days; the whole being defrayed by the gentlemen of the Middle Temple and Lincoln's Inn.

Upon Twelfth Night, in the same year, 1613, *The Maske of Flowers* was presented by the "gentlemen of Graies Inne," before the court in the banqueting house, Whitehall, it being the last of the solemnities and magnificences performed at the marriage of the Earl of Somerset and the Lady Frances, daughter of the Earl of Suffolke. This masque was got up at the express desire of Sir Francis Bacon, then his Majesty's Attorney-General, and according to some accounts, the whole expense of the performance was sustained by

him. The masque was printed in the following year, and is dedicated to Bacon; the authors, who appear to have been three in number, observing:—"That you have graced in general the societies of the Inns of Court in continuing them still as third persons with the nobility and court, in doing the king honour; and particularly Graies Inn, which as you have formally brought to flourish both in the auncienter and younger sort, by countenancing virtue in every quality; so now you have made a notable demonstration thereof in the later and less serious kind by this, that one Inne of Court by itself, in time of a vacation, and in the space of three weeks could perform that which hath been performed, which could not have been done, but that every man's exceeding love and respect to you, gave him wings to overtake time." The masque closed with the following song, addressed to the bride and bridegroom:—

"Lovely couple, seasons two,  
Have perform'd what they can do,  
If the gods inspire our song,  
The other two will not stay long,  
Receive our flowers with gracious hand  
As a small wreath to your garland.  
Flowers of honour, flowers of beauty,  
Are your own, we only bring  
Flowers of affection, flowers of duty."

The masque being ended, it pleased his majesty to call for the anti-mask of song and dance, which was again presented. The maskers when the whole was concluded, uncovered their faces, and kissed the hands

of the king, queen, and princes, "with a great deal of grace and favour," and so were invited to the banquet.

In the year 1619, was produced *The Inner Temple Masque; or, Masque of Heroes*, presented as an entertainment for many worthy ladies by gentlemen of the same ancient and noble house. It was the composition of Thomas Middleton, a prolific masque writer of that period. It was performed in the Inner Temple Hall, the masque itself "receiving its illustration" from nine gentlemen of the society.

About Allhallowtide, in the year 1633, shortly after the birth of the Duke of York, several of the principal members of the four Inns of Court proposed that they should testify to the king and queen their affection and duty to them "by the outward and splendid visible testimony of a royal masque." The suggestion appears to have originated in the society of Lincoln's Inn; and it was thought that such a demonstration would manifest the disapprobation of the four inns of the conduct of Mr. Prynne, who had violently denounced all such entertainments, in which both the king and queen had, on occasions, taken parts, and serve as a refutation of his laborious and extraordinary work, 'Histrio Mastix,' which was dedicated "to the benchers and students of the four Inns of Court, and especially of Lincoln's Inn." Each Inn selected two members to form a committee to make arrangements for this masque, which was to exceed all former devices in magnificence. In the

Middle Temple were chosen of this committee Mr. Edward Hyde, afterwards Lord Clarendon, the distinguished historian, and Mr. Whitelock, afterwards Sir Bulstrode Whitelock, who gives a minute account of all the circumstances of this masque; in the Inner Temple, Sir Edward Herbert, and Mr. Selden; in Lincoln's Inn, Mr. Attorney General Noy and Mr. Gerling; and in Gray's Inn, Sir John Finch afterwards Lord Finch, the queen's attorney-general, and another whose name I do not find. This committee, having received the necessary authority from the benchers of each society, met together and appointed several sub-committees, one to 'take care of the poetical part of the business,' another for the several properties of the masquers, and anti-masquers, and actors, another for dancing, and another for music. The time for presenting this masque at Whitehall Palace was agreed to be on Candlemas night, to end Christmas. After great preparations and several rehearsals, the procession of the masquers was, on the appointed day, got in readiness; and to settle the question which Inn was to occupy the first and chiefest place, and which the second, third and last place, dice were thrown by one of each house.

"On Candlemas-day, in the afternoon, the masquers, horsemen, musicians, dancers, and all that were actors in this business, met at Ely House, in Holborn; there the grand-committee sat all day to order all affairs; and when the evening was come, all



things being in full readiness, they began to set forth in this order down Chancery Lane to Whitehall. The first that marched were twenty footmen, in scarlet liveries with silver lace, each one having his sword by his side, a baton in one hand, and a torch lighted in the other. There were the marshal's men, who cleared the streets, made way, &c. After them came the marshal, Mr. Darrel, afterwards knighted by the king. He was of Lincoln's Inn, an extraordinary handsome proper gentleman; he was mounted on one of the king's best horses and richest saddles, and his own habit was exceeding rich and glorious; his horsemanship was very gallant; and besides his marshal's men he had two lacquies, who carried torches by him, and a page in livery that went by him carrying his cloak."

After him followed one hundred gentlemen of the Inns of Court, five and twenty chosen out of each house of the most proper and handsome young gentlemen of the societies; every one of them was gallantly mounted on the best horses and with the best furniture that the king's stables and the stables of all the noblemen in town could afford, who were forward on this occasion to lend them to the Inns of Court.

A full description of the procession would occupy several pages, but, an account of the chariots of the grand masquers, must not be omitted:—

"Then came the first chariot of the Grand Masquers, which was not so large as those that went

before, but most curiously framed, carved, and painted with exquisite art, and purposely for this service and occasion. The form of it was after that of the Roman triumphant chariots. The seats in it were made of oval form in the back end of the chariot, so that there was no precedence in them, and the faces of all that sat in it might be seen together. The colours of the first chariot were silver and crimson, given by the lot to Gray's Inn; the chariot was drawn with four horses all abreast, and they were covered to their heels all over with cloth of tissue of the colours of crimson and silver, huge plumes of red and white feathers on their heads; the coachman's cap and feather, his long coat, and his very whip and cushion of the same stuff and colour. In this chariot sat the four grand masquers of Gray's inn, their habits, doublets, trunk-hose, and caps of most rich cloth of tissue, and wrought as thick with silver spangles as they could be placed; large white stockings up to their trunk-hose, and rich sprigs in their caps, themselves proper and beautiful young gentlemen. On each side of the chariot were four footmen in liveries of the colour of the chariot carrying huge flamboys in their hands, which, with the torches, gave such a lustre to the paintings, spangles, and habits, that hardly anything could be invented to appear more glorious.

“After this chariot came six more musicians on foot, and clothes in habits like the former; these were followed by the second chariot, as the lot fell, for the

Middle Temple; this differed not in anything from the former but in colours only, which were of this chariot silver and blue; the chariot and horses were covered and decked with cloth of tissue of blue and silver. In this second chariot were the four grand masquers of the Middle Temple, in the same habits as the other masquers, and with the like attendance of torches and flamboys with the former. After these followed the third and fourth chariots and six musicians between each chariot, habited, on foot, clothes and horses as before. The chariots were all of the same make and alike carved and painted, differing only in the colours. In the third chariot rode the grand masquers of the Inner Temple; and in the fourth chariot went those of Lincoln's Inn, according to the lot of each of them.

“The habits of the sixteen grand masquers were all the same, their persons most handsome and lovely, the equipage so full of state and height of gallantry that it never was outdone by one representation mentioned in our former stories.

“The march was slow in regard of their great number, but more interrupted by the multitude of the spectators in the streets, besides the windows, and they all seemed loth to part with so glorious a spectacle. In the mean time the banqueting-house at Whitehall was so crowded with fair ladies glittering with their rich clothes and richer jewels, and with lords and gentlemen of great quality, that there was scarce any room for the king and queen to enter

in. The gallery behind the state was reserved for the gentlemen of the four Inns of Court who came to see the masque. The king and queen stood at a window to see the procession, and, being so delighted with the noble bravery of it, desired that it might turn about the tilt-yard that their majesties might have a double view of it.

“ The king and queen, and all their noble train, being come in, the masque began, and was incomparably performed in the dancing, speeches, music, and scenes. The dances, figures, properties, the voices, instruments, songs, airs, composures, the words, and the actions, were all of them exact, and none failed in their parts of them, and the scenes were most curious and costly.

“ The queen did the honour to some of the masquers to dance with them herself, and to judge them as good dancers as she ever saw, and the great ladies were very free and civil in dancing with all the masquers, as they were taken out by them.

“ Thus they continued in their sports until it was almost morning, and then, the king and queen retiring to their chamber, the masquers and inns-of-court gentlemen were brought to a stately banquet, and, after that was dispersed, every one departed to their own quarters.” The queen was so delighted with these Solemnities, that she wished the masque to be acted over again; and, in accordance with her majesty’s desire, the whole pageant was repeated at the Merchant Tailors’ Hall, before the king and

queen, the lord mayor, and freemen. The expense of the whole amounted to about 21,000*l*. After the masques, Sir John Finch, Mr. Gerling, Mr. Hyde, and Mr. Whitelocke, waited on the king as a deputation from the four inns, and, being all admitted to kiss his majesty's hand, Sir John Finch thus spoke :—

“ Sir, by the command of your majesty's most affectionate and loyal subjects, the readers and gentlemen of the four Inns of Court, we are here to attend you with our most humble thanks for your great favour to them in your gracious acceptance of the tender of their service and affections to your majesty in the late masque presented to you, and for vouchsafing your royal presence at it.”

The king, with great affability, replied :—

“ Gentlemen, pray assure those from whom you come, that we are exceeding well pleased with that testimony which they lately gave us of their great respect and affection to us, which was very acceptable, and performed with that gallantry and in so excellent a manner, that I cannot but give them thanks for it, and shall be ready upon all occasions to manifest the good opinion I have of them, and to them and you in particular, any favour.”

Sir John Finch, and the other deputed members, had then the honour of kissing the queen's hand, and her majesty was pleased to say :—

“ That she never saw any masque more noble nor better performed than this was, which she took as a particular respect to herself, as well as to the king her husband, and desired that her thanks might be returned to the gentlemen for it.”

This being reported to the benchers of each society they gave thanks to their respective members

that were of the committee for the honour they had done to the society by the well ordering of the business of the masque.

"Thus," says Whitelocke, "these dreams past, and these pomps vanished."

In one of Garrard's letters to Lord Strafford, he gives an account of the grand masque, just described, which he says "far exceeded, in bravery, any masque that had formerly been presented by these societies;" and relates the following anecdotes: "In their company, there was one Mr. Read, of Gray's Inn, whom all the women, and some men, cry'd up for as handsome a man as the Duke of Buckingham. They were all well used at court by the king and queen, and no disgust given them. Only this one accident fell. Mr. May, of Gray's Inn, a fine poet, he who translated Lucan, came athwart my lord chamberlain, in the Banqueting House, and he broke his staff over his shoulder, not knowing who he was. The king present, who knew him, for he calls him his poet, and told the chamberlain of it, who sent for him next morning, and fairly excused himself to him, and gave him fifty pounds, in pieces. I believe he was the more indulgent for his name sake." An untoward event at Court, that threatened more serious consequences, which occurred in the preceding reign, is thus related by Tindal: "In 1612, 10 James I., Mr. Edward Hawley, of Grey's Inn, coming to court one day, Maxwell [a Scotsman] led him out of a room *by a black string, which*

he wore in his ear, a fashion then much in use; but this had like to have cost warm blood. Not only Gray's Inn society, but all the gentry in London, thought themselves concerned in the affront; and Hawley threatened to kill Maxwell whenever he met him, if he refused to fight, which so frightened the king, that he sent for the benchers, and made up the quarrel."

"On Shrove Tuesday night," writes Garrard to the Earl of Strafford, in the same letter in which he describes this grand masque of the four inns, "the king and the lords performed their masque. The Templars\* were invited, and well placed. They have found a new way of letting them in by a turning chair; besides they let in none but such as have tickets sent to them before hand, so now the keeping of the door is no trouble. The king intends to have this masque again in the Easter holidays." The masque, represented on this occasion, was *Cælum Britannicum*, the composition of Sir William Davenant; the performers being no less personages than the following:—

THE KING'S MAJESTY.

|                     |                 |
|---------------------|-----------------|
| DUKE OF LENOX.      | LORD FIELDING.  |
| EARL OF DEVONSHIRE. | LORD DIGBY.     |
| EARL OF HOLLAND.    | LORD DUNGARVIN. |
| EARL OF NEWPORT.    | LORD DUNLUCE.   |
| EARL OF ELGIN.      | LORD WHARTON.   |
| VISCOUNT GRANDESON. | LORD PAGET.     |
| LORD RICH.          | LORD SALTINE.   |

And ten young Lords and Noblemen's sons.

\* This expression here evidently means all Inns-of-Court men.

Her Majesty Queen Henrietta, also, occasionally condescended to sustain parts in masques. A piece, written by Davenant, called the *Temple of Love*, was represented at Whitehall Palace; her majesty and her ladies being the performers, and young lords and gentlemen representing certain characters in the masque.

At Shrovetide, in the year 1635, Davenant's masque 'Triumphs of the *Prince d'Amour*' was produced with great splendour in the hall of the Middle Temple, when the queen, the prince elector, and many ladies of the court were present. "On Wednesday, the 23rd February, 1635," Sir H. Herbert writes, who was in the hall, "the *Prince d'Amour* gave a masque to the prince elector and his brother in the Middle Temple, when the queen was pleased to grace the entertainment by putting off majesty to put on a citizen's habit, and to sit upon a scaffold on the right hand amongst her subjects. The queen was attended in the like habits by the Marquis of Hamilton, the Countess of Denbigh, the Countess of Holland, and the Lady Elizabeth Fielding. Mrs. Basse, the law woman, lead in this royal citizen and her company. The Earl of Holland, the Lord Goring, Mr. Percy, and Mr. Jermyn, were the men that attended. The prince elector sat in the midst, his brother Robert on the right hand of him, and the *Prince d'Amour* on the left. The masque was very well performed in the dances, scenes, clothing, and music, and the queen was pleased to tell me on her going away, that she liked it very well.



Henry Lawes and William Lawes made the music.  
Mr. Corseilles made the scenes."

This masque was devised and written by Sir William Davenant, he informs us, in the short space of three days. It is entitled 'The Triumphs of the *Prince d'Amour*, a Masque presented by his Highness at his *Palace* in the Middle Temple.' It contains some spirited songs, one of which, sung by Cupid, will serve as a specimen:—

## I.

"Whither so gladly and so fast,  
As if you knew all danger past  
Of combat and of war?  
As you believ'd my arms were bound,  
Or when I shoot, still ev'ry wound  
I make is but a scar.

## II.

"Arm now your breasts with shields of steel,  
And plates of brass, yet you shall feel  
My arrows are so keen,  
Like lightning that not hurts the skin,  
Yet melts the solid parts within,  
They'll wound although unseen.

## III.

"My mother taught me long ago  
To aim my shafts, and draw my bow,  
When Mars she did subdue.  
And now you must resign to Love  
Your warlike hearts that she may prove  
Those antic stories true."

The masquers' names, according as they ranked by their antiquity in the society, were Thos. Mansel,

W. Morgan, W. Wheeler, Mich. Hutchenson, Lawr. Hyde, Thos. Bourke, E. Smythe, E. Turnor, Thos. Way, Thos. Trenchard, G. Probert; those in the first anti-masque—Philip Morgan, John Freeman, John Bramston, E. Smyth, Clement Spellman, John Norden, W. Lysle; those in the second anti-masque—John Stepkin, Charles Adderly, John Ratcliff, Richard May and Giles Hungerford.

Soon after these levities, those unhappy civil commotions began which, originating in the unconstitutional attempts of the king to set his authority above all law, finally ended in the bloody tragedy enacted at Whitehall. A morose fanaticism obtained ascendancy, and acts of parliament were passed, suppressing stage plays, which were denounced as “the very Pompes of the Divell.”

## CHAPTER VI.

## REVELS.

THE revels which were observed in ancient times in all the Inns of Court, at Allhallowtide, Christmas, and other joyous seasons, were parts of the national recreations which were universally kept up in olden times, by rich as well as poor, throughout "merrie England." In the houses of the nobility, and in other great houses, an officer called the master of the revels, or the *lord of misrule*, was every year appointed to manage the Christmas diversions from Allhalloweve to Candlemas-day; and out of doors the populace were amused with mysteries or miracle plays, with various sports, pastimes, and exercises. "That nothing might be wanting for the encouragement of study," dancing and revels for recreation and delight, we are told, were allowed in the halls of the Inns of Court, at certain seasons. These revels were observed from a very early date; in the ninth year of the reign of Henry VI. it was ordered by the bench of Lincoln's Inn, that there should be four revels that year, and no more; one at the feast of Allhallows, another at the feast of St. Erkenwald, the third at the Purification

of our Lady, and the fourth at Midsummer-day. A director of the pastimes, or master of the revels, was annually chosen — *magister jocosum, revellorum, et mascarum*. In 9 Hen. VIII., it was ordered in Lincoln's Inn that he who should be chosen *King* on Christmas-day, ought then to occupy the said room if he were present, and in his absence the marshal for the time being, by the advice of the other barristers present, to name another; also that the *King of Cockneys* on Childermas-day should sit and have due service; and that he and all his officers "should use honest manner and good order, without any waste or destruction making in wine, brawn, chely, or other victuals," and also that he and his marshal, butler, and constable marshal, should have their lawful and honest commandments by delivery of the officers of Christmas, and "that the said *King of Cockneys* ne none of his officers medyl neither in the buttery nor in the steward of Christmas his office upon pain of 40s. for such meddling."

Both the Inner and Middle Temples were particularly celebrated for the splendour of these entertainments. In the fourth year of the reign of Queen Elizabeth, the Christmas revels of the Inner Temple were kept with great magnificence. Lord Robert Dudley, (afterwards Earl of Leicester, the favourite of Elizabeth,) a student in that house, was chosen high constable and marshal, with the title of *Pallaphilos, Prince of Sophie, high constable marshal of the Knights Templars, and patron of the honourable order of the Pegasus*.

Christopher Hatton, afterwards lord chancellor of England, was "the master of the game," and the prince was attended by a numerous retinue and a mimic court. Several days were spent in feasting, dancing, masking, and tilting; the pastimes being witnessed by numbers of the nobility, and graced by the presence of "divers bewties dames." Gerard Leigh, a member of the Inner Temple, in his curious discourse on heraldry,\* gives a minute account of the pageantry and festivities, the processions of the prince, the decorations of the hall, the discharge of ordnance, the noise of fifes and drums, the flourishing of trumpets, the order of the banquets, and the proclamations of the herald. He describes *Pallaphilos* as "a soldier placed to defend the temples dedicated to the gods, as places meet for Pallas' muses to inhabit, the high constable of the goddess herself, marshal of the Inner Temple, whose magnificent court with rare devising of the gods themselves, brought such admiration to heapes of ruder number, that although" he adds, "I might see it, yet could I not approach it, by the length of Strabo's kenning, when from farre he saw the navy of Puny, and therein I thought me in Tantalus' pain to swim in so sweet dewes on every side, yet not able once to essay thereof."

Leigh describes the coat of arms of the Inner

\* 'The Accidence of Armorie' by Gerard Leigh, printed by Ballard, A. D. 1597, and dedicated "to the honourable assembly of gentlemen in the Innes of Court and Chancery;" with a prefatory address to the reader, by Richard Argoll, of the Inner Temple.

Temple,—*azure, a Pegasus argent*, “called the horse of honour, whose condition Soares, Emperor of Assiria, honoured so much for his swift course as he judged him not framed of the grosse masse of common horses; and therefore Gefferie Chaucer built unto him, after his own nature and condition, a house called Fame, a place meet for the horse of honour.” Leigh’s work is written in the form of a dialogue between *Leigh* and *Gerard*, the latter assuming the character of a herehaught or herald.

The following is a description of the ceremony of conferring knighthood in the Inner Temple Hall, on twenty-three chosen gentlemen, by *Pallaphilos* :—

“Approach ye, therefore approach, ye noble gentlemen who serve so mighty a patroness, with so worthy a captain in so high a fellowship; and receive the guerdion of your travail, the honor now offered, that your living fame may never perish, till couching cowardice by shameful flight, and raging vice, by deadly dent, are forced to fly the face of the whole earth. Then your virtue shall prick forth Pegasus to live aloft with eternal felicitie, who ruleth all in all.”

“Thus his persuasion ended, they were called forth one by one according to their ancienty, and upon every one attended seven knights that bare the pieces of his armour. And kneeling in open sight was by the herehaught armed with the *helme of fortitude*, who bade him manly to abide by wisdom the blustering blasts of swelling envy and froward fortune. Then was he likewise armed with the *breastplate of courage*,

that willing he should pursue vice, fearing no peril, being armed with virtue. After to him was delivered the *targe of Pallas* for his defence manfully to invade, or politikly to defend. Then was he *girt with the sword of justice*, to measure by desert, and cut short the monstrous head of growing pride. Then were delivered to him *the spurs of speed* to prick therewith the horse of fame. Then was he covered with the *mantle of Pallas*, triple colours, Argent, Or, and Purpure: that by simple truth, secret counsel, and good advice to forecast ere he attempt, and then by speed to prosecute with effect. Then lastly was put about his neck *the collar of Pallas order* with pendant Pegasus, to link together with loving consent his armed defence; that so by Pegasus he might to honour mount a place for a virtuous conqueror. And for a better assurance thereof Truth held the sword, whilst he was sworn by the cross thereof, which was thus:—

“ Wisdom the guide of armed strength,  
Uprise your knightlie name :  
By force of prowes hawt, to clymb  
The loftie tower of fame :  
Advance your honours by your deeds,  
To live for ever more,  
As Pallas knights, by Pallas helpe,  
Pallas serve ye therefore.”

“ And this ended, the high-constable dubbeth him with a sword, bidding him arise knight by living virtue. All these observances finished, *Pallaphilos* biddeth them to go offer to Pallas the first fruits of their gotten virtues, giving thanks to the goddess with sacrifice.

And so they departed towards the temple in such order as they came, saving accompanied with two noblemen to every of them. And before them went all sounds of Mars his music, and officers of arms in their order: their sacrifice done they returned in like sort to *Pallaphilos* Hall, where they prepared prizes of honour for tilt, tournay, and such knightly pastime. And after for their solace, they masked with bewties dames, with such heavenly harmony as if Apollo and Orpheus had shewed their cunning. At length the high-constable departed the hall, anon after the squires for the body prepared to rest. And the ushers commanded to avoid, and so I departed to *Pallaphilos*' lodging, where I lackt no entertainment."

The following account of the *Prince of Purpoole*, who, with all his attendants, was invited to court by her majesty, Queen Elizabeth, is taken from 'Gesta Grayorum,' A.D. 1594:—

"The great number of gallant gentlemen that Gray's Inn afforded at ordinary revels, betwixt All-hallowtide and Christmas, exceeding therein the rest of the houses of court, gave occasion to some well wishers of our sports, and favourers of our credit, to wish a head answerable to so noble a body, and a leader to so gallant a company; which motion was more willingly hearkened unto, in regard that such pastimes had been intermitted by the space of three or four years, by reason of sickness and discontinuancies. After many consultations had thereupon, by the youths and others that were most



forward herein, at length, about the 12th of December, with the consent and assistance of the readers and ancients, it was determined that there should be elected a *Prince of Purpoole*, to govern our state for the time, which was intended to be for the credit of Gray's Inn, and rather to be performed by witty inventions than chargeable expenses. Whereupon they presently made choice of one, Mr. Henry Holmes, a Norfolk gentleman, who was thought to be accomplished with all good parts, fit for so great a dignity; and was also a very proper man of personage, and very active in dancing and revelling. Then was his privy council assigned to him, to advise of state matters and the government of his dominions; his lodging also was provided according to state, as the presence chamber and the council chamber; also all officers of the law and of the household. There were also appointed gentlemen pensioners to attend on his person, and a guard with his captain for his defence. The next thing thought upon as most necessary, was provision of treasure, for the support of his state and dignity. To this purpose, there was granted a benevolence by those who were in the court abiding; and, for those that were not in the house, there were letters directed to them, in the nature of privy seals, to enjoin them, not only to be present and give their attendance at his court, but also that they should contribute to the defraying so great a charge as was guessed to be requisite for the performance of so great intendments."

Letters were addressed to the society of the Inner Temple, inviting them to attend, which were acknowledged by that house, in becoming form:—"as your kindness, and the bond of our ancient amity and league, requireth and deserveth, your assured friend, 'The State of Templaria.'"

The following is the order of the *Prince of Purpoole's* proceedings, with his officers and attendants, at his honourable Inthronization, which was likewise observed at all his solemn marches, on grand days and like occasions, which place every officer did duly attend during the reign of his highness's government.—

A marshal.

A marshal.

Trumpets.

Trumpets.

Pursuivant-at-Arms, *Lanye.*

Towns men in the Prince's  
livery, with halberds.

Yeomen of the Guard, three  
couples.

Captain of the Guard, *Grimes.*

Baron of the Grand Port,  
*Dudley.*

Baron of the Petty Port,  
*Williams.*

Baron of the Base Port,  
*Grante.*

Baron of the New Port,  
*Lovel.*

Gentlemen for entertain-  
ment, three couples,  
*Binge, &c.*

Gentlemen for entertain-  
ment, three couples,  
*Wentworth, Zukenden, Forrest.*

Lieutenant of the Pensioners, *Tonstal.*

Gentlemen Pensioners, twelve couples, *viz.*

*Lawson.*

*Daniel.*

*Elken.*

*Devereux.*

*Rotts.*

*Davison.*

*Stapleton.*

*Anderson.*

*cum reliquis.*

*Glascott.*

Chief Ranger and Master of the Game, *Forrest.*

Master of the Revels, *Lambert.*

Lord Chamberlain of the  
Household, *Markham.*

|   |   |
|---|---|
| Master of the Revellers,<br><i>Tevery.</i>            | Sergeant-at-Arms, with the<br>Mace, <i>Flemming.</i>              |
| Captain of the Pensioners,<br><i>Cooke.</i>           | Gentleman Usher, <i>Chevett.</i>                                  |
| Sewer,* <i>Archer.</i>                                | Shield of Pegasus for the<br>Inner Temple, <i>Scervinton.</i>     |
| Carver, <i>Mosely.</i>                                | Chancellor of the Exche-<br>quer, <i>Kitts.</i>                   |
| Another Server, <i>Drewry.</i>                        | Master of the Wards and<br>Idiots, <i>Ellis.</i>                  |
| Cup-bearer, <i>Painter.</i>                           | Reader, <i>Cobb.</i>  |
| Groom-porter, <i>Bennet.</i>                          | Lord Chief Baron of the<br>Exchequer, <i>Briggs.</i>              |
| Sheriff, <i>Leach.</i>                                | Master of the Rolls, <i>Hetlen.</i>                               |
| Clerk of the Council, <i>Jones.</i>                   | Lord Chief Justice of the<br>Common Pleas, <i>Dam-<br/>porte.</i> |
| Clerk of the Parliament.                              | Lord Chief Justice of the<br>Prince's Bench, <i>Crew.</i>         |
| Clerk of the Crown, <i>Downes.</i>                    | Master of the Ordnance,<br><i>Fitz-Williams.</i>                  |
| Orator, <i>Heke.</i>                                  | Lieutenant of the Tower,<br><i>Lloyd.</i>                         |
| Recorder, <i>Starkey.</i>                             | Master of the Jewel House,<br><i>Darlen.</i>                      |
| Solicitor, <i>Dunne.</i>                              | Treasurer of the House-<br>hold, <i>Smith.</i>                    |
| Sergeant, <i>Goldsmith.</i>                           | Knight Marshal, <i>Bell.</i>                                      |
| Speaker of the Parliament,<br><i>Bellen.</i>          | Master of the Wardrobe,<br><i>Conney.</i>                         |
| Commissary, <i>Greenwood.</i>                         | Comptroller of the House-<br>hold, <i>Bouthe.</i>                 |
| Attorney, <i>Holt.</i>                                | Bishop of St. Giles in the<br>Fields, <i>Dandye.</i>              |
| Sergeant, <i>Hitchcombe.</i>                          | Steward of the Household,<br><i>Smith.</i>                        |
| Master of the Requests,<br><i>Faldo.</i>              | Lord Warden of the Four<br>Ports, <i>Damporte.</i>                |
| Secretary of State, <i>Jones.</i>                     |   |
| Lord Admiral, <i>Cecil (Rich.)</i>                    |   |
| Lord Treasurer, <i>Morrey.</i>                        |   |
| Lord Chamberlain, <i>South-<br/>worth.</i>            |   |
| Lord High Constable.                                  |   |
| Lord Marshal, <i>Knaplock.</i>                        |   |
| Lord Privy Seal, <i>Lamphew.</i>                      |   |
| Lord High Steward, <i>Kempe.</i>                      |   |
| Lord Chancellor, <i>Johnson.</i>                      |   |
| Archbishop of St. Andrews<br>in Holborn, <i>Bush.</i> |   |

\* One that cometh in before the meat of the king, or other great personage, and placeth it upon the table.

|   |   |
|---|---|
| Sergeant-at-Arms, with the<br>Sword, <i>Glascott</i> .      | Gentlemen of the Privy<br>Chamber, six couples.     |
| Gentleman Usher, <i>Paylor</i> .                            | A Page of Honour, <i>Butler</i>                     |
| Shield of the Griffin for<br>Gray's Inn, <i>Wickliffe</i> . | ( <i>Roger</i> .)                                   |
| The King-at-Arms, <i>Per-</i><br><i>kinson</i> .            | Vice Chamberlain, <i>Butler</i><br>( <i>Thos</i> .) |
| The Great Shield of the<br>Prince's Arms, <i>Cobley</i> .   | Master of the Horse, <i>Fitz-</i><br><i>Hugh</i> .  |
| The Prince of Purpoole,<br><i>Holmes</i> .                  | Yeomen of the Guards,<br>three couples.             |
| A Page of Honour, <i>Wand-</i><br><i>forde</i> .            | Townsmen in liveries.                               |
|   | The Family, and Followers.                          |

Upon the 20th of December, being St. Thomas' Eve, the prince, with all his train, in order as above, marched from his lodgings to the Great Hall of Gray's Inn, and there took his place on his throne, under a rich cloth of state. His counsellors and great lords were placed about him and before him. Below the half paces at a table, sat his learned counsel and lawyers; the rest of the officers and attendants took their proper places, as belonged to their condition.

Then the trumpets were commanded to sound thrice, which, being done, the king at arms, in his rich surcoat of arms, stood forth before the prince, and proclaimed his style as follows:—

“By the sacred laws of arms, and authorised ceremonies of the same, (maugre the conceit of any malcontent,) I do pronounce my sovereign liege lord, Sir Henry, rightfully to be the high and mighty Prince of Purpoole, Arch-Duke of *Sta-*

*pulia* and *Bernardia*,\* Duke of the High and Nether Holborn, Marquis of St. Giles's and Tottenham, Count Palatine of Bloomsbury and Clerkenwell, Great Lord of the Cantons of Islington, &c., Knight of the most honourable order of the Helmet, and Sovereign of the same."

After that the king-at-arms had thus proclaimed his style, the trumpets sounded again, and then entered the prince's champion, all in complete armour, on horseback, *and so came riding round about the fire*, and, in the midst of the hall, made his challenge, gaging his gauntlet as the prince's true knight and champion.

Then followed various speeches, ceremonies, processions, dancings, and devices, which were witnessed by a crowd of distinguished visitors: "And besides all the stately and sumptuous service that was continually done to the prince in a very princely manner, and besides the daily revels and such like sports which were usual, there were divers grand nights for the entertainment of strangers to our pastimes and sports." There was a grand night on Innocent's Night, and so great was the crush that some of the performances were obliged to be suspended. In consequence also of some irregularities in the hall *the Prince of Purpoole* issued his commission of oyer and terminer, and his clerk of the crown preferred indictments against certain offenders. On the 3rd of January the Lord Treasurer Burghley, the Earls of Shrewsbury, Cumberland, Westmoreland, and Essex,

\* Staple Inn and Barnard Inn.

Lords Buckhurst, Windsor, Sheffield, Compton, &c., and with a great number of knights and ladies came to Gray's Inn Hall to see the revels. A masque was exhibited, and after a banquet "the prince for his farewell took a lady to dance withal, and so did the rest of the lords and knights." The next day *the Prince of Purpoole* was entertained by the Lord Mayor and Aldermen, at Crosby Place, attended by four score Grayians and Templars, every one of whom wore a feather; and the procession was escorted from Gray's Inn through the city by crowds of the common people, who deemed him, we are informed, "a very great prince." On the 7th of February the prince went in state to Blackwall, and there sent a letter, dated "from our Ark of Vanity," to Sir Thomas Heneage requesting him to convey the prince's duty to the queen. Her majesty sent a gracious message, saying "she liked well his gallant shows;" and invited him and his retinue to visit her at Greenwich Palace at Shrovetide. The prince then returned; and on arriving at the Tower, by the queen's command he was received with a salute from the Tower guns; the procession then passed through Tower Street, Fenchurch Street, Gracechurch Street, Cornhill, Cheapside, and St. Paul's Church Yard. The scholars of St. Paul's school were here in waiting, and one of the scholars read an *address* to his highness in Latin. On Twelfth Night the prince had another grand night in Gray's Inn Hall, attended by the wonted honourable and worshipful company of lords, ladies, and knights;

when there was a banquet and a show and anti-masque, with mountebanks, &c. These mountebanks delivered comic speeches, and sang humorous songs, in which they took considerable latitude :—

“ Maids of the chamber or the kitchen,  
If you be troubled with an itching,  
Come give me but a kiss or two,  
I’ll give that shall soon cure you :  
No Galen or Hippocrates,  
Did ever do such cures as these.”

On Shrovetide the *Prince of Purpoole* was received at Greenwich by Queen Elizabeth where a masque, representing *Proteus* and *Tritons*, *Thamesis* and *Amphitrite*, sea nymphs, &c., was presented to her majesty. The queen was much pleased at the performances, and gave her hand to the prince and the masquers to kiss; praising Gray’s Inn “as an house she was much indebted to, for it did always study for some sports to present unto her.”

The same night there was fighting at ‘Barriers;’ the Earl of Essex and others challengers, and the Earl of Cumberland and his company defendants. The *Prince of Purpoole*, who was among the latter, appeared in the lists, and behaved himself so valiantly and skilfully, that the prize—a jewel, set with seventeen diamonds and fourteen rubies, in value one hundred marks—was awarded to him, and was presented to the prince by Her Majesty the Queen, with her own hands, who was pleased highly to commend “his desert and good behaviour in those exercises.”

In the reign of Charles I., the revels at the Middle

Temple were kept up with great magnificence; Sir Simonds d'Ewes tells us that he felt shocked at the excesses, saying, "I began seriously to loathe it, though at the time I conceived the sport of itself to be lawful." Again, speaking of the 1st of January, 1623, he remarks, "at night I came into commons at the Temple where there was a lieutenant chosen, and all manner of gaming and vanity practised, as if the church had not at all groaned under those heavy desolations which it did."

Garrard, in one of his letters to Strafford, gives us the following account of the doings of one of these Christmas princes.\* "The Middle Temple House have set up a prince who carries himself in great state, one Mr. Vivian, a Cornish gentleman, whose father, Sir Francis Vivian, was fined in the Star Chamber about a castle he held in Cornwall about three years since. He hath all his great officers attending him, lord keeper, lord treasurer, eight white staves at the least, captain of his pensioners, captain of his guard, two chaplains who on Sunday last preached before him, and in the pulpit *made three low legs* to his excellency before they began, which is much laughed at. My lord chamberlain lent him two fair cloths of state, one hung up in the hall, under which he dines, the other in his privy chamber; he is served on the knee, and all that come to see him kiss his hand on their knee.

\* Letters and despatches of Thomas, Earl of Strafford, 8th of January, 1635.

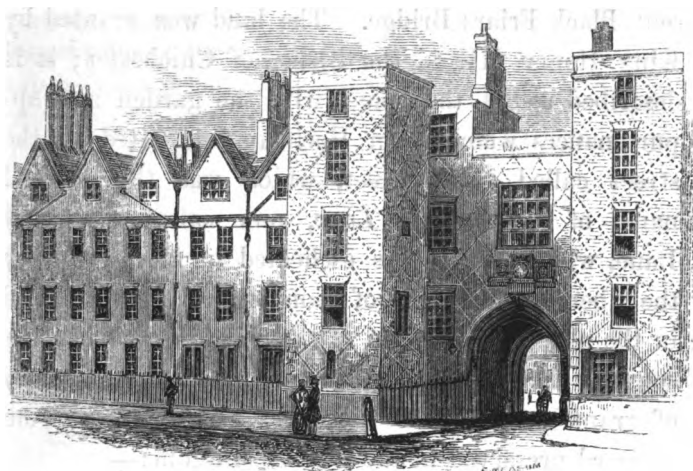


My lord of Salisbury hath sent him pole-axes for his pensioners. He sent to my lord of Holland, his justice in eyre, for venison, which he willingly sends him; to the lord mayor and sheriffs of London for wine; all obey. Twelfth day was a great day; going to the chapel many petitions were delivered to him, which he gave to his masters of the requests. He hath a favourite whom, with some others of great quality, he knighted on his return from church, and dined in great state. At the going out of the chambers into the garden, when he drank the king's health, the glass being at his mouth, he let it fall, which much defaced his purple sattin suit, for so he was clothed that day, having a cloke of the same down to his foot, for he mourns for his father, who lately died. It costs this prince 2000*l.* out of his own purse; I hear of no other design, but all this is done to make him fit to give the prince elector a royal entertainment, with masks, dancings, and some other exercises of wit in orations or arraignments that day that they invite him."

The Czar of Muscovy, Peter the Great, was present at the Christmas revels in the Temple, 1697-8. A masque was presented on the occasion, when there was "a riotous and revelling Christmas according to custom."

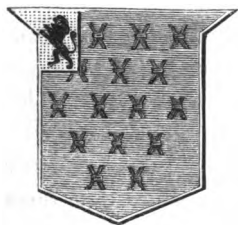
The last of the revels in the Inns of Court took place in the Inner Temple Hall, on the elevation of Mr. Talbot to the woolsack, in 1733.\*

\* See chap. VIII. INNER TEMPLE.



## CHAPTER VII.

### *Lincoln's Inn.*



LINCOLN'S INN\* is built on the site of an episcopal palace erected in the time of King Henry III., by Radulphus de Nova Villa, otherwise Ralph Nevil, Bishop of Chichester, and Chancellor of England, and partly on the ruins of Black Friars House, Holborn, which, prior to the year 1276, was inhabited by a religious community, who, about that period, removed to a new convent near Baynard's Castle, situate in Upper Thames Street, near the pre-

\* Lincoln's Inn comprises—1. The Old Buildings. 2. The Garden. 3. Serle Court, or New Square. 4. Stone Buildings.

K

sent Black Friars Bridge. The land was granted by King Henry III. to the Bishop of Chichester; it is described as all that place with the garden and appurtenances which John Herlirum\* forfeited in the street called New Street, which was the original name of *Chancellor's Lane*, now called Chancery Lane, which place was escheated to the crown by the liberty of the city of London, as acknowledged in the pleas of the crown of that city in his Majesty's court at the Tower of London. The following copy of grant made by the king to Nevil, is taken from a record preserved in the British Museum:—

“ Henricus dei gr̃a Rex Anglie Dñs Hibernie Dux  
Normanie Acquitaine et Comes Andeg. Archiepiscopis  
Ep̃is Abbatibus Prioribus Coñ Baronibus Justiç Vicecoñ  
p̃posit̃ ministris et omnibus ballivis et fidelibus suis Sal̃m  
Noveritis nos dedisse concessisse et hac carta ñra con-  
firmasse venerabili patri Rado Cycestrensi Ep̃o Can-  
cellerio ñro placeam illam cū gardino et pertinencijs suis  
que fuit Joh̃is Herlizun qui terras suas forisfecit in vico  
illo qui dicit' Newstrete ex opposito terre ejusdem Ep̃i  
in eodem vico que quidem placea cū gardino et perti-  
nencijs suis escaeta ñra est per libertates civitať ñre  
London secundum quam oñes terre eorum qui terras  
forisfacint escaete ñre sunt de quocumque teneantur sicut  
recognitum fuit coram curia ñra apud Turrim London  
ad ultima p̃lita ejusdem civitať de corona habendam et  
tenendam eidem Ep̃o et quibuscūque dare assignare vel  
legare voluerit in feodo et hereditate bene et in pace  
libere et quiete integre et pacifice faciendo inde Dñis  
feodi illius debitum eis inde servicium Quare volumus  
et firmit' p̃cipimus qđ p̃dcus Ep̃us et illi quibus p̃dcam

\* Harlizun in Lansd. MS.

placeam cū gardino et pertinentijs suis dare assignare vel legare voluerit eandem placeam cū gardino et pertinencijs suis habeant et teneant in feodo et hereditate bene et in pace libere quiete integre et pacifice sicut p̄c̄t̄ est his Testibus J. Bathoñ, R. Dunhołm, W. Karliel Ep̄is, H. de Burgo, coñ Kanč Justič Anglie, Phillippo de Albinacio, Rado filio Nichi Rado de Trublevyll, Ričo de Argen̄ne, Nicho de Molis et alijs data p̄ manum n̄ram apud Westm̄, Septodecimo die Novembris Anno Regni nostri Tercio decimo."

"Copia Carte Regis H. tercij de Hospicio de Lincolnes Inne."\*

After the death of Nevil, Richard de Wiche, commonly called St. Richard, canonized by Pope Urban IV., A.D. 1261, resided here, and the chapel of the Inn was afterwards dedicated to him.† In the beginning of the reign of Edw. II., we find Henry Lacy, Earl of Lincoln, possessed of the place, which he held under a grant from Edward I., by the name of Old Friar House, *juxta* Holborn, and from him the house acquired the denomination of Lincoln's Inn, which it has ever since retained. This Henry Lacy

\* MS. Lansd. 1. Matthew Paris thus speaks of this palace and of the death of Nevil, A.D. 1245: "Venerabilis pater episcopus Cicesterensis Radulphus de Nevilla, cancellarius Angliæ, vir per omnia laudabilis, et immota columna in regni negotiis, fidelitatis, Londini in nobili palacio suo, quod a fundamentis non procul a novo Templo construxerat, cal. Februarii vitam temporalem terminavit perpetuam adepturus." Boniface, Archbishop of Canterbury, it is said, lodged with his retinue in this house during his visitation to the priory of St. Bartholomew the Great.

† "He was very much revered for his great learning and diligent preaching, but especially for his integrity of life and conversation." *Whately on the Common Prayer.*

died in the year 1310, and it is the opinion of Thynne, a learned antiquary of the 17th century, that Lincoln's Inn became an Inn of Court soon after his death. Dugdale mentions a tradition current among the ancients of this society in his day, that Lacy "being a person well affected to the knowledge of the laws," in his lifetime induced certain professors of the law to settle in the inn; but of this he found no direct proof. In after times, it is certain that the succeeding Bishops of Chichester were the inheritors of the premises, and let leases of them to the professors and students of the law residing here, reserving a certain rent and lodgings for themselves upon their repairing to London. Fortescue, who flourished in the reign of Hen. VI., was a student in this inn, and from his work there is no room to doubt that it had been one of the four houses of court generations previously. The existing records of the society reach back to the commencement of the reign of Henry VI. The first volume of the *Black Book*, a book of orders and admittances still in a state of excellent preservation, extends from 2 Hen. VI. to 2 Edw. IV. In the year A.D. 1439, in 18 Hen. VI. an order was made that the following oath should be taken by every member on his admission to the society:—

"Tu jurabis quod sis obediens, assistens et confortans gubernatoribus ejusdem hospicii electis, elegendis et pro tempore ibidem existentibus, in omnibus gubernationem societatis ejusdem concernentibus et concernendis."

At the same time it was ordered that the follow-

ing oath should be taken by every master of the bench :—

“ Tu jurabis pro viribus tuis videas et facias observari bonum regimen, honorem et proficuum ejusdem societatis, a festo S. Barnabe Apostoli, anno regni regis Henrici sexti 18. usq, festum omnium Sanctorum, quod erit in Anno Domini 1441 et deinde quousq, nos et socii tui constituerint.”

To the copy of the above oath, among the Harleian MSS., I find annexed a memorandum of the names of the benchers sworn in 18 Hen. VI. :—

|                             |           |
|-----------------------------|-----------|
| “ Noīa Gubernatoř p̃dictoř. |           |
| Robtus Danvers.             | } Juř.” * |
| Johes Stafford.             |           |
| Ričus Wood.                 |           |
| Wiffus Boeff.               |           |

In the time of Henry VII., Francis Suliarde,† bencher of Lincoln's Inn, held a lease of these premises from the bishops of Chichester. Robert Sherborne, Bishop of Chichester, then made a new lease to William Suliarde, also a member of this society, and son of the said Francis, for ninety-nine years, at the yearly rent of 6*l.* 13*s.* 4*d.* After this lease Richard Sampson, one of the succeeding bishops of Chichester, by his deed bearing date 1st July, 28 Henry VIII., passed the inheritance thereof, and of the garden called Cotterell Garden, or Coney-garth,‡ (so called

\* MS. Harl. 360. fol. 199.

† Dug. Orig.

‡ In 8 Edw. IV. 12 Hen. VII. and 24 Hen. VIII. strict penalties were imposed on students hunting rabbits or conies in those fields with bows, arrows, or darts.

from the quantity of rabbits that then were to be found there) to the said William Suliarde and Eustace his brother, which grant was confirmed by the Dean and Chapter of Chichester, the first of August then next ensuing, the said William then being one of the ushers of the king's bedchamber. The inheritance being thus in these two brothers, and Eustace surviving, Edward, son and heir of the said Eustace, by deed bearing date 12th November, 22 Eliz., in consideration of the sum of 520*l.*, conveyed to Richard Kingsmill and the rest of the then benchers the premises in fee, whereupon a fine was levied by him the said Edward and his wife.\* Thus the society, who for centuries had occupied the Inn as tenants, acquired the absolute ownership of it.

In the 23 Henry VII. the gate-tower, which forms the principal entrance from Chancery Lane, was commenced, Sir Thomas Lovell, formerly a member of this house, and then treasurer of the household of King Henry VII. contributing liberally towards the works. The timber for it was brought by water from Henley-on-Thames, and the bricks and tiles were made from clay dug out of the Coney-garth. The sum of 16*l.* 7*s.* 5*d.* was paid for forty-three cart-loads of free-stone, together with the wrought work over the chimneys and the carving of the arms over the gate. These arms comprise the arms of England, with those of Lacy, Earl of Lincoln, on one side, and the arms of Sir Thomas Lovel on the other, with the date A. D.

\* Dug. Orig.

1518, underneath. Oliver Cromwell is said to have had chambers for some time over this gateway. In the second year of the reign of Philip and Mary a walk under the trees in the Coney-garth was made for the convenience of the members.

For several years the society used as their coat-of-arms *a lion rampant purpure in a field or*, the arms of Lacy, Earl of Lincoln.\* Sir Richard Holford, however, having, about the year 1699, discovered from an ancient manuscript in the library of the inn, that in the year 1516 the proper coat-of-arms of the society was *azure seme de fer Moline or, on a dexter canton or a lion rampant purpure*, and having found from the books in the heralds' office that the latter was the proper coat-of-arms of Lincoln's Inn, it was ordered by the bench that in future that coat should be used by the society instead of the arms of Lacy. A certificate, "whereon the said coat was handsomely depainted," was attested by Mr. Gregory King, Lancaster herald, and placed first in the council chamber, and afterwards in the library. It was ordered that these arms should be emblazoned on the east window of the chapel, and from that time they have been used in all matters concerning this house.

The whole of Lincoln's Inn, with the exception of New Square, or Serle Court, is extra-parochial. That part of the Inn is built partly on ground belonging to the society, and partly upon a piece of waste

\* The impropriety of using this coat of arms is pointed out in an ancient MS. entitled "A View of the Four Famous Colleges or Inns of Court." Harl. 1104.



land formerly called Lincoln's Inn Little Fields, or Fickett's Fields, to which Mr. Henry Serle claimed a title.\* In 1682 articles of agreement were entered into between Mr. Serle and the benchers of the society, by which it was agreed that Mr. Serle should, at his own charge, build the several sets of chambers from No. 1 to No. 11 inclusive, that these chambers should be occupied only by members of the society, and that they should be subject to dues and duties, fines and fees on admission and surrender, and be regulated in every manner as the chambers then the property of the society; that such of them as were built upon the ground to which Mr. Serle claimed title, the said Henry Serle, his heirs and assigns, should stand seized for ever; and that as to such chambers as should be built upon the ground then belonging to the society (namely, No. 11), it was agreed that the said Henry Serle should have six several assignments for the successive lives of six several persons, to be named by the said Henry Serle, his heirs or assigns successively as the lives should fall, without paying any fine or income to the society other than what was to be paid for the said newly erected chambers on the said ground of Fickett's Fields aforesaid. The chambers, Nos. 12

\* In Nov. 1774 an action was brought by the parish officers of St. Clement Danes against certain residents in this part of Lincoln's Inn, who refused to pay rates. The case was tried in the Court of King's Bench before Lord Mansfield, and the jury found that this part of the inn was not extra-parochial; giving a verdict for the parish and all the costs.

and 13, do not properly form any part of New Square. The entrances to them were formerly in Kitchen Garden Court.

It is said, that 'rare Ben Jonson' was employed as a mason in the erection of the wall of Lincoln's Inn, which, in the reign of Elizabeth, was commenced "at the upper end of the backside towards Holbourne." Jonson's step-father was a bricklayer, and the young poet was employed by him to assist him in his business. While engaged in this work, he is said to have made the well-known repartee to the lady that accosted him:—

"*Lady.* With line and rule  
Works many a fool :  
Good-morrow, mason."

"*Jonson.* In silk and scarlet  
Goes many a harlot :  
Good-morrow, madam."

Jonson, in after life, enjoyed the countenance and friendship of many distinguished members of the four societies, for whom he testified his respect, by dedicating his *Every Man out of his Humour*, "To the noblest nurseries of humanity and liberty in the kingdom, the Inns of Court."

Before the time of Queen Elizabeth, Lincoln's Inn was separated from Chancery Lane merely by an embankment of clay. In the fourth year of her reign, a wall was ordered to be constructed on that side of the inn, from bricks, also dug out of the Coney-garth. Four years afterwards, "a fair and beautiful wall" was commenced at the backside of

the house, and gates were erected on the foreshore towards the street.

Lincoln's Inn has suffered more than once from fire. In 1752 a conflagration occurred in New Square, in which many valuable papers, deeds, &c., were destroyed.

In a former chapter it has been mentioned, that, but for the strenuous exertions of the benchers and members of this society, Lincoln's Inn Fields would have shared the fate of the adjoining densely-crowded districts; and a copy of a letter, from the privy council to the justices of the peace for Middlesex, to restrain and forbid buildings there, has been given. The order of the privy council referred to, is dated 4th of September, 1613, and was issued after the receipt of a communication from the benchers of Lincoln's Inn, on the 20th of the preceding month, of which a copy, taken from the original, is here annexed:—

“THE HUMBLE ANSWERE OF THE BENCHERS OF LYNCOLNES INNE FOR THEMSELVES AND THEIR WHOLE SOCYETY.\*

“May it please yo<sup>r</sup> good Lo<sup>ps</sup>, whereas Mr. Attorney Generall hath acquainted us, the rest of the Bench of Lyncolnes Inne, that S<sup>r</sup> Charles Cornwallis is an earnest suetor to yo<sup>r</sup> Lo<sup>ps</sup>, to have lycence to builde one onely house for his owne dwelling in the feilds neare Lyncolnes Inne, wherein you were pleased to require the answer of the society, whether wee might be perswaded to give waye unto it.

“It may please yo<sup>r</sup> Lo<sup>ps</sup> to be advertised, that in o<sup>r</sup>

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\* MS. Cotton Titus, b. vii. fol. 430.

absence this longe vacaçon, upon attempt of buildings by the said Sr Charles Cornwallys, the whole Socyety, both of the barre and under (then in towne), made humble petition to yo<sup>r</sup> Lo<sup>rps</sup> and the rest of the Lords of the Pryve Counsell for the restraynte therof, whereupon it pleased yo<sup>r</sup> Lo<sup>rps</sup> to give strickt order for restraynte therof accordingly. And though now, the request be onely for one dwelling-house in the same place, and though the gentleman be a man of speciall quality and much regarded by us all, yet the whole Socyety being made acquainted w<sup>th</sup> this his suite doe desire, that it be made their generall answe<sup>r</sup> to yo<sup>r</sup> Lo<sup>rps</sup> that as his Ma<sup>ty</sup> proclamations are peremptory against all such buildings, so are they resolute (w<sup>th</sup> yo<sup>r</sup> Lo<sup>rps</sup> favour) to give noe consent to this nor any other of the same kynde, for any person or respecte; but by all due meanes to oppose against them. And, therefore, wee of the Bench, in the name of the whole Socyety, doe humbly beseech your Lo<sup>rps</sup> that nothing be permitted of this kynde in any of those feilds, for w<sup>ch</sup> (as for all other yo<sup>r</sup> ho<sup>ble</sup> favo<sup>rs</sup>) they shall rest at yo<sup>r</sup> honorable co<sup>m</sup>mandments.

“Yo<sup>r</sup> Lo: most humble at yo<sup>r</sup> comaundement.”

“Lincolne's Inne the  
20th of October, 1613.”

|                 |               |
|-----------------|---------------|
| “HENRY ADAIRE.  | HENRY DAY.    |
| ANTHONYE IRBYE. | RI: WALTHAM.  |
| THO. HITCHCOCK. | MATHEW HADDE. |
| G. TOOKE.       | LEWIS PROWDE. |
| THO. WENTWORTH. | RICH. DIGGES. |
| JAMES LEY.      | J. SELWYN.    |
| LEO. BAWTREE.   |               |

“To the right Ho<sup>ble</sup> o<sup>r</sup> singuler good  
Lord, Henry Earle of Northampton, &c.  
and Thomas Earle of Suffolke, &c.”

The following return of the numbers in Lincoln's

Inn and the two Inns of Chancery, subordinate to it, in the reign of Queen Elizabeth, is extracted from Lord Burghley's Papers, from which I have derived much interesting information respecting the Inns of Court at that time:—

## LYNCOLNES INNE.

The number of chambers there are one hundred  
and fower, . . . . . ciiij.  
The companye in the Terme tyme ys comonly  
cc., or thereabout, . . . . . cc.  
In the tyme of the Readinges cxxx., or there-  
about, . . . . . cxxx.  
In the meane vacaçons betwene the Termes and  
Readinges foure scoore, or thereabout, . lxxx.  
Savage in the longe Somer vacaçon, after the  
Somer Readinge ends, viz. betwene Bartho-  
lomewtide and the begynning of Michaelmas  
Terme, there are not comenlye above fourtye  
or fyfthe, . . . . . xl. or l.

## THAVYES INNE.

The companye in the Terme tyme xl. or there-  
abouts, . . . . . xl.  
In the vacaçon, xx or thereabout, . . . . . xx.

## FURNYVALLES INNE.

The company in the Terme tyme foure scoore or  
thereabout, . . . . . lxxx.  
In the vacaçon xxx. or thereabout, . . . . . xxx.

## THO. EGERTON.

cccxx. in Terme.

c. out of Terme.\*

The names of the benchers of Lincoln's Inn, apparently about the same time, are in the same collection:—Wilbraham, Forster, Kempe, Kingesmyll, Wethereld, Rookebie at Yorke, Ayloff, Barber, Wynd-

\* MS. Lansd. No. 106, art. 15, fol. 80 ; not dated.

ham, Stratforde, Talboys, Dalton, Clenche, Wykes, Thymylbie.\*

The following letter from the Star Chamber, to the benchers of Lincoln's Inn, temp. Eliz., reproving the Society for their want of zeal for the received religion, and commanding them henceforth not to admit, call, or elect any but faithful professors of the same, is also in Lord Burghley's Papers:—

“FROM THE STAR CHAMBER TO OUR LOVINGE FRIENDS THE  
BENCHERS AND GOVERNORS OF LINCOLN'S INNE.

“After our hartie comendaçons. For as muche as we are crediblie enformed here, by complaynt of some of the chiefest of the clergie, and partlie understand, by matter latelie before our selves, that you, and others the Benchers and Governours of the houses of Courte and Chauncery, have of late tyme not onlye admitted into yo<sup>r</sup> societies, but also called to the benches, the barrs, and other degrees there, all sortes generallye: without makinge choyse or difference betwixt the zealous and well-affected in religion, and the corrupte and evill affected therein, to the great daunger of muche disorder and corruption hereafter, bothe there and in the co<sup>m</sup>on welthe, and to the great discouragement of the towarde and well-affected. We have thoughte it good, therefore, (havige made the quenes hignes privie thereunto,) to will, and in her ma<sup>ties</sup> name, to comaunde yow (as we have by like letters to others of the houses of courte) that yow hereafter doe not onlie show yo<sup>r</sup> selves to be faithfull furtherers and favourers of this received religion, and of the faithfull professors thereof there, but also that yow have better consideraçon and regarde in yo<sup>r</sup> admissions, callinges, and elections there then heretofore hathe bene hadd, respectinge in yo<sup>r</sup> choyses therein,

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\* MS. Lansd. No. 106, art. 15, fol. 79.

not only their continuance, towardnes, and aptnes in learninge, but allso their zeall and good disposition in religion. Wherein, yf anie of yo<sup>r</sup> selves shalbe anie hinderers thereof, or if anie great difficulty, and great diversitie of opinions, or voyces, happen to growe amongst yo<sup>r</sup> selves, touchinge anie that hathe bene, or shall fortune to be anie intermeddlers against the Quenes Highnes proceedings in religion. Or touchinge anie that hathe, or shall purposely, and usuallie absent themselves frome devine service. Or that hathe, or shall not usually receive the hollie co<sup>m</sup>union at tymes appoynted and convenient. Or that hathe bene, or shalbe any favourers or furtherers of anie of the late sedicious and superstitious bookes. Or that hathe bene, or shalbe notoriously or vehemently suspected amongst yow to be untowarde or corrupte in religion, or anie hinderers thereof anie waye. That all suche be forborne and stayed frome suche admissions, callinges, and degrees, untill uppon signification thereof by some of yow receive frome one of them some resolu<sup>ti</sup>on in that behalfe. And further, we would have yow to geve advertisement in our names to the Principalls and Governors of the Innes of Chauncerye, perteyninge to yo<sup>r</sup> house, or under yo<sup>r</sup> gouernment, to take some like convenient order for the admissions, callinges, degrees, and elections in their houses. And so fare yow well.”\*

Of the ancient readings, moots, masques, and revels of Lincoln’s Inn, and the other houses, we have already spoken in the chapters appropriated to those subjects. The following stringent order, for the due observance of readings in this Inn, was made by the masters of the bench in 6 Edward IV: —“That every member of this society, who should

\* MS. Lansd. 109, art. 5.

thenceforth be called and admitted from the bar to the bench, should *swear upon the holy Evangelists* to keep and observe six vacations, without any excuse whatsoever, excepting sickness, or sickness of his or their fathers, mothers, or wives, or any suits, pleadings of assize, or *nisi prius* relating to them or any one to their use, happening within that month and time of such reading or within that fourteen days before or after the said reading, upon pain of 20s. to be forfeited and paid to the society for every default in the premises."

There is an account of a speech made by Noy, at one of the readings, at Lincoln's Inn, in a manuscript by a law student named Gibbons,\* which, though charged with exaggerations, throws some light on the manner in which the ancient readings were conducted:—

"Noy Attorney Generall (at Atkins reading in August 1632, at Lincoln's Inn upon the Statut d. Forresta)† held opinion that our Law readings were of great antiquity, and for that purpose he vouched a record w<sup>ch</sup> was 19 H. III. Clauso rott memb. 23 breif suit direct al vicont de London commandant a ley q̃ si fueront ascun schooles in ceo city en q̃ le ley fuit lye q̃ doit ceo suppress. The like was directed to the Archb. of Canterbury. And the reason was because the King, by the counsell of Hubert Cheif Justice, had disclaimed his grant and confirmation of the liberties granted by Mag. Chart., and that of the forest, as being made during his nonage, &c. And in these schooles these lawes were maintained and publiqly read. Afterward the King (as the Record speaks) saniore mente reversus est. This apareth also by the

\* MS. Harl. 980, p. 153.

† Vid. pref. 2d Inst.



chart roll 21 Hen. III. Then also Mr. Attorney affirmed that every Inn of the Court was an University of itself, and highly extolled the modesty of the auncient professors of our Laws.\* That wheras in other Universities a short abidance ther, will give them the name of Sophisters, fowre yeares continuance the title of Bachellors, 7 years Masters of Arts, and some 14 or 19 yeares at the most the name of Doctors, all being specious and swelling titles. In our Law Universitys at 5 years we deserved the title of Mootmen, (that is, of those that could then like children begin to word it,) at 7 years, or somewhat more, the title of Barrister, (a word of contempt,) at 27, having been single readers in an Inn of Court, the name of Aprentices to the Law, and afterwards, some 3 or 4 years, double readers the name of *Servients*† to the Law, never arrogating higher titles, and yet every argument in a demurrer by any Lawyer at any of Westminster Courts was of greater labour if not learning, and a more publiq demonstration of it then of any of ther Doctors Acts in ther schooles."

Great attention was paid in this society to the proprieties of dress. At a council, held on the day of the nativity of St. John the Baptist, 23 Hen. VIII., it was ordered that for a continual rule to be thenceforth kept in this house, no gentleman, being a fellow of this house, *should wear any cut or pansid hose or bryches, or pansid doublet, upon pain of being put out of the house.* In 1 and 2 Phil. and Mary, Mr. Wyde, of this inn, was, by a special order made upon Ascension day, fined five groats *for going in*

\* In the time of Fortescue sixteen years' continuance in the study of the law was the period of time considered a necessary qualification in candidates for the coif.

† Seld. sur Fortescue, 54.

*his study-gown, into Cheapside, on a Sunday, about ten of the clock before noon, and in Westminster Hall in term time.*

In 30 Eliz. it was ordered by the council that if any fellow of this house should *wear any hat in the hall or chapel, or go abroad to London or Westminster without a gown* he should be put out of commons, and pay such a fine before his re-admittance, as the masters of the bench should assess. Likewise that if any fellow of this house *should wear long hair, or great ruffs*, he should also be put out of commons and pay such fine before he were re-admitted as the masters of the bench should assess.

Again in 38 Eliz., that if any fellow of this house, being a commoner or repaster, should, within the precincts of this house, *wear any cloak, boots, spurs, or long hair*, he should pay for every offence five shillings for a fine, and also to be put out of commons; and in 11 Car. I. it was ordered that what gentleman soever should come into the hall at meal-time with any other upper garment than a gown, he should be suspended from being a member of the society. Several stringent orders were directed against the custom of *wearing beards*. In 33 Hen. VIII. there was an order made that none of the fellows of this house, being in commons or at his repast, should wear a beard, and whoso did, to pay double commons or repasts in this house during such time as he should have any beard. In 1 Ph. & Mar. the penalty was increased. It was ordered that such as had beards

*should pay 12d. for every meal they continued them, and every man to be shaven upon pain of being put out of commons.* Again in 1 Eliz. it was further ordered that no fellow of this house should *wear any beard above a fortnight's growth*, and that whosoever should transgress therein should, for the first offence, forfeit 3s. 4d., to be paid and cast with his commons; for the second offence, 6s. 8d., and the third time to be banished the house.

Fashion, however, predominated over law. Troops of students entered the hall 'bearded like the pard,' and finding it impossible to check their growth, the bench, at a council, held on the 27th of Nov. 2 Eliz., resolved, that all the orders before that time made touching beards should be void and repealed.

In 1 Eliz. it was ordered *that no fellow of this society should wear any sword or buckler*, or cause any to be borne after him into the town. And that in case any one should transgress therein, he should for the first offence forfeit 3s. 4d., to be paid and cast into commons, for the second time, 6s. 8d., in like manner to be cast into commons, and the third time to be banished the house. In 8 Jac. it was further ordered that no *rapiers* should be worn in this house by any of the society.

In the 8 Hen. VII. the *Old Hall* was taken down, and a few years afterwards a new Gothic structure, seventy-one feet long and thirty-two feet broad, was erected. A louvre was added to it in the 6 Edward VI., and the arms of Lacy, Earl of Lincoln, and of the Earl of Chester, were, in 1682, placed on the

lead.\* This hall is a plain structure, and not equal to the halls of either of the other Inns of Court. The Lord Chancellor has for many years held his sittings during vacation here; and, since the erection of the present magnificent new hall, it has been used exclusively for that purpose. Before the erection of the new hall, the windows and walls of this apartment were decorated with the escutcheons of a long line of illustrious men; of whom it will be proper here to give an account in the order in which their arms were placed:—

John Puckering, Keeper of the Great Seal, 1593.

Robert Atkins, Justice of the Common Pleas, 1673.

Peter Warburton, Justice of the Common Pleas, temp. Eliz.

Hugo Wyndham, Justice of the Common Pleas.

Edward Atkins, Justice of the Common Pleas.

Earl of Southampton.

Earl of Rutland.

Joseph Jekyll, Master of the Rolls, 1717.

John Verney, Master of the Rolls, 1738.

George Marquess Halifax,† 1685.

Sir Robert Walpole, K.G., Chancellor, &c., of his Majesty's Exchequer, First Lord Commissioner of his Majesty's Treasury, &c., 1729.

Robert Price, Baron of the Exchequer, 1702.

Edw. Clive, Baron of the Exchequer, 1745.

Nath. Gundry, Justice of the Common Pleas, 1750.

Wad. Wyndham, Justice of the King's Bench.

Samuel Eyre, Justice of the King's Bench, 1694.

Ægidius Eyre, Justice of the King's Bench, 1694.

Henry Powle, Master of the Rolls, 1692.

\* These were removed in the year 1818.

† President of the Council in the reign of James II.

Littleton Powis, Baron of the Exchequer, 1695.

Robert Eyre, Justice of the Queen's Bench, 1710.

Spencer Cowper, Justice of the Common Pleas, 1727.

Lawrence Carter, Baron of the Exchequer, 1726.

Bernard Hale, Baron of the Exchequer in Ireland, also Baron of the Exchequer in England.

Arthur Earl of Anglesey, 1673.

Dudley Ryder, Lord Chief Justice of the King's Bench, &c., 1754.

Thomas Clarke, Master of the Rolls, 1754.

Thomas Jones, Lord Chief Justice of the Common Pleas, Jac. II.

Hen. Bedingfield, Lord Chief Justice of the Common Pleas, 1686.

Thomas Richardson, Lord Chief Justice of the Common Pleas, Car. I.

Earl of Derby.

Earl of Sussex.

Earl of Bedford.

Christoph. Wray, Lord Chief Justice of the King's Bench.

Jas. Ley, Bart., Lord Chief Justice of the King's Bench.

Harbottle Grimston, Bart., Speaker, Car. II., and Master of the Rolls.

Robert Harley, Speaker of the House of Commons during three successive Parliaments held in the reigns of William III. and Queen Anne, and one of her Majesty's principal Secretaries of State.

Charles Clarke, Baron of the Exchequer, 1742.

William Jones, Justice of the King's Bench.

Robert Raymond, Lord Chief Justice of the King's Bench, 1725.

James Montague, Baron of the Exchequer, 1714.

Samuel Browne, Justice of the Common Pleas, 1673.

James Reynolds, Justice of the King's Bench, 1725.

John Pole, Chief Baron of the Exchequer in Scotland, 1741.

Edward Atkins, Lord Chief Baron of the Exchequer, 1688.

Thomas Dennison, Justice of the King's Bench, 1741.

Richard Rainsford, Justice of the King's Bench, 1673.

Robert Long, Bart.,\* Auditor of the Exchequer, 1673.

Robert Wright, Lord Chief Justice of the King's Bench, 1688.

James Reynolds, Baron of the Exchequer, 1740.

Thomas Powis, Justice of the Queen's Bench, 1713.

Thomas Lord Wyndham, Lord High Chancellor of Ireland.

Robert Dormer, Justice of the King's Bench, 1705.

John Willes, Lord Chief Justice of the Common Pleas, 1737.

William Fortescue, Baron of the Exchequer, 1737.

William Thompson, Recorder of the City of London, afterwards Baron of the Exchequer, 1725.

Robert Ord, Lord Chief Baron of the Exchequer in Scotland, 1756.

Richard Aston, Justice of the King's Bench, 1765.

Charles Townshend, Chancellor of the Exchequer, 1767.

Edward Willes, Justice of the Court of King's Bench, 1768.

John Skynner, Lord Chief Baron of the Exchequer, 1777.

William Lord Walsingham, Lord Chief Justice of the Common Pleas, 1771.

Alexander Lord Loughborough, Lord Chief Justice of the Common Pleas, 1780. Lord High Chancellor, 1793.

Giles Rooke, Justice of the Common Pleas, 1793.

Soulden Lawrence, Justice of the King's Bench, 1794.

William Grant, Master of the Rolls, 1801.

Robert Dallas, Lord Chief Justice of the Common Pleas, 1818.

Sir William Garrow, Baron of the Exchequer, 1817.

\* Long was secretary to Charles II. during his exile.

William Noel, Justice of the Common Pleas, 1750.

Charles Yorke, Lord High Chancellor, 1770.

Charles Lord Camden, Lord High Chancellor, 1766.

Robert Lord Henley, Lord High Chancellor, 1 Geo. III.

Fletcher Norton, Attorney-General, 1763; Chief Justice in Eyre, south of the Trent, 1769; Speaker of the House of Commons, 1770.

Henry Lord Apsley, Lord High Chancellor, 1771.

William Pitt,\* The Right Honourable, Chancellor and Under Treasurer of the Exchequer, and one of his Majesty's Privy Council, 1782.

Alexander Thompson, Lord Chief Baron, 1814.

Nash Grose, Justice of the King's Bench, 1787.

Archibald Macdonald, Lord Chief Baron of the Exchequer, 1793.

Henry Addington, Viscount Sidmouth, Chancellor of the Exchequer, and First Lord of the Treasury, 1801.

Edward Lord Ellenborough, Lord Chief Justice of the King's Bench, 1802.

Thomas Manners Sutton, Lord Manners, and Lord High Chancellor of Ireland, 1807.

Lord Erskine,† Lord High Chancellor of England, 1806.

Spencer Perceval, Chancellor of the Exchequer, and Chancellor of the Duchy of Lancaster, 1807.

Vicary Gibbs, Lord Chief Baron of the Court of Ex-

\* This illustrious statesman filled the office of treasurer of Lincoln's Inn, A.D. 1794. Underneath the sun-dial opposite the gardens in that year was the inscription.

Tr.

Rt. Honble

W. P.

1794.

*Qua redit nescitis horam.*

† A marble statue of this distinguished member of this society is in the old hall, opposite to the chair of the lord chancellor.

chequer, 1813; and Lord Chief Justice of the Court of Common Pleas, 1814.

Nicholas Vansittart, Chancellor of the Exchequer, &c., 1812.

Charles Bathurst, Chancellor of the Duchy of Lancaster, 1812.

Thomas Plumer, Vice-Chancellor of England, and Master of the Rolls, 1818.

William Adam, Baron of the Exchequer in Scotland, 1814.

James Allan Park, Justice of the Common Pleas, 1816.

John Richardson, Justice of the Common Pleas, 1819.

His Majesty Charles II.

His Royal Highness James Duke of York.

His Serene Highness Prince Rupert.

The Earl of Manchester.

The Earl of Bath.

Lord Henry Howard.

Lord Newport.

Feb. 26, 1671.

ENTERTAINMENT OF KING CHARLES II., IN LINCOLN'S  
INN, AT A MASQUE AND BANQUET.

His Majesty, King Charles II., accompanied by the Duke of York, (afterwards King James II.,) and attended by his court, was entertained at a banquet, in Lincoln's Inn Hall, 1st of January, 1662, the 'merry monarch' having come on that occasion to witness the Christmas revels, which were in that year celebrated with great brilliancy. Pepys mentions, that the king was attended by his life-guards on the occasion. According to the ancient custom of the Inns of Court, a 'Prince' was



elected, of whom Evelyn gives us the following account:—"1662, 1st of January, I went to London, invited to the solemn foolerie of the *Prince de la Grange*, at Lincoln's Inn, where came the king, duke, &c. It began with a grand masque, and a formal pleading before the mock princes, grandees, nobles, and knights of the same. He had his lord chancellor, chamberlain, treasurer, and other royal officers, gloriously clad and attended. It ended in a magnificent banquet. One Mr. Lort was the young spark who mentain'd the pageantry."

SECOND BANQUET, IN LINCOLN'S INN, TO KING  
CHARLES II.

Nine years after this time, King Charles II. and the Duke of York, again honoured the society of Lincoln's Inn, by partaking of a grand banquet in the hall, of which visit the following interesting and curious account is preserved in the admittance book of Lincoln's Inn, in which volume, also, the account of the visit of Her Most Gracious Majesty, Queen Victoria, and His Royal Highness, Prince Albert, to Lincoln's Inn, is recorded:—

*"A narrative of the kings majesties reception and entertainment att Lincolnes Inne, the nyne and twentieth day of February, 1671.*

"Sir Francis Goodericke, knight, one of his majesties learned counsel att law, and solicitor generall to his royal highnesse the Duke of Yorke, being reader of this society of Lincolnes Inn, for the Lent reading, in

the year 1671, having invited the king, his royal highnesse, and Prince Rupert, and diverse of the nobilitie, to dine in Lincolnes Inne Hall, on such day of his reading as his majestie should make choice off; his majestie was pleased to appoint Thursday, the 29th of February, 1671. And, accordingly, that day his majestie, together with his said royal highnesse, and his highnesse Prince Rupert, being also attended by the Duke of Monmouth, the Duke of Richmond, the Earles of Manchester, Bath, and Anglesea, the Lord Viscount Halifax, Lord Bishop of Ely, Lord Newport, Lord Henry Howard, and divers others of great qualitie, came to Lincolnes Inne. His majestie made his entrance thro' the garden, att the great gate opening into Chancery Lane, next to Holborne, where Mr. Reader, and the rest of the benchers and associates, waited his coming, and attended his majestie up to the tarras walke, next the field, and soe through the garden; the trumpetts and kettle drums, from the leads over the highest bay-window, in the middle of the garden building, sounding all the while. And, from the garden, his majestie went to the new councell chamber; the barristers and students, in their gownes, standing in a rowe on each side, between the garden and the councell chamber. After a little rest, his majestie viewed the chappell, returning agayne to the councell chamber; from thence, as soon as his table (being placed upon the ascent att the upper end of the hall, and railed in) was furnished, his majestie was brought into the hall, where

his majestie sate under his canopy of state, being served by the reader as server upon his knee, with the towell before he did eat; his royal highnesse sitting att the end of the table, on his right hand, and Prince Rupert att the other end. The dukes and lords, and other his majesties attendants of qualitie, after some short tyme of waiting, had leave from his majestie to sitt downe to dinnar, att tables prepared for them on each side of the hall. The reader, and some of the benchers, to witt, Sir Thomas Beverley, master of requests to his majestie; Sir Robert Atkins, knight of the bath; all the time of his majestie's dining, waiting neere his majestie's chairs; and four other of the benchers, Mr. Day, Mr. Pedley, Mr. Stote, and Mr. Manby, with white staffes, waited as controlers of the hall, to keep good order; and above fifty of the barristers and students, the most part of them attending as waiters, and carrying up his majesties meat, which was served upon the knee; the rest of the barristers and students waiting upon the lords att their table. The three courses, wherein were exceeding great plenty and variety of dishes; and, after them, a most liberal banquet was served up by the said barristers and students, and delivered by them, upon their knees, att the kings table; the musick, consisting of his majesties violins, playing all the tyme of dinnar in the gallery, att the lower end of the hall. Towards the end of dinnar, his majestie, to doe a transcendant honour and grace to this society, and to expresse his most gracious acceptance of their

humble duty and affection towards him, was pleased to demand the booke of admittances to be brought to him, and, with his owne hand, entred his royall name therein; most graciously condescending to make himself a member thereof; which high and extraordinary favour was instantly acknowledged by all the members of this society, then attending on his majestie, with all possible joy, and received with the greatest and most humble expressions of gratitude; itt being an example not preceded by any former king of this realme. His royal highnesse and Prince Rupert followed this great and highest example, as also the dukes and other lords, who, before his majesties rising from dinnar, borrowed gownes of the students and put them on, and, in those gownes, waited on his majestie, with which his majestie was much delighted: and his majestie, thro' his owne most obligeing favour, vouchsafed to itt, having made himself more neerely and intimately concerned for the good of this society, was pleased himselfe to begin a health to the welfare thereof, and to cause itt to be pledged in his owne presence, immediately gave the reader leave to drink his majesties health, and to begin to his royal highnesse. Then, rising from dinnar, he was agayne attended to the new councill chamber, where he conferred the honour of knighthood on Mr. Nicholas Pedley and Mr. Richard Stote, two of the benchers, who had in their turns beene readers of this house; as also upon Mr. James Butler, one of the barristers, and Mr. Francis Darrell, one of the students; that soe

every degree and order of the society might have a signall testimony of his majesties high favour. His majestie, upon his departure, made large expressions of his most gracious acceptance of the enterteynment, and returned his thanks to the reader, and was pleased to signify the great respect and esteem he should ever have for the society.

“ The gentlemen of the horse guards, yeomen of the guard, and other inferior attendants, were bountifully enterteyned att the costs and charges also of the reader. The gentlemen of the horse guards dined in the old councell chamber; the yeomen of the guards in Mr. Day’s chamber; and the coachmen and lacquies in the gardener’s house, to all their contentment.

“ On Saturday following, Mr. Reader, Sir Robert Atkins, Sir Nicholas Pedley, and Sir Richard Stote, benchers and readers of Lincoln’s Inn, waited on his majestie att Whitehall; being conducted to his majesties presence by the Earle of Bath, and gave most humble thanks for that high and transcendant honour he had beene pleased to vouchsafe to this society; which was graciously received by his majestie, and did the said benchers the honour to kisse his hand.”

After the autographs of the royal and illustrious party, the following memorandum is appended:—  
“ The king, duke, princes, bishops, and other nobles whose names are before written, were admitted of this society, the nine-and-twentieth day of February, 1671.”\*

\* Lincoln’s Inn Admission Book.

## THE CHAPEL.

In ancient times there was a chapel in Lincoln's Inn, dedicated to *Saint Richard*, of Chichester; in which, in 6 Edward IV., a general council of the society, all the bench and bar being present, was held respecting the due observance of readings in this house. The chapel was probably not regularly used for the purposes of divine worship, for in the reign of Elizabeth we find the inn without a preacher. The following letter is copied from Lord Burghley's papers in the Lansdown Collection of MSS. It appears to have been addressed by the benchers of Lincoln's Inn to the lord treasurer.

"Where wee have bene of longe tyme desirous to have a Preacher in our howse, like as is in other howses of Court, and having made offer to dyvers, as to M<sup>r</sup>. Chaderton, M<sup>r</sup>. Reynolds, and others, could not procure them thither by reason they are not willing to leave the places and charges they are in already and thereupon have at length chosen M<sup>r</sup>. Chark, we have thought good to acquaint the Bishope therw<sup>th</sup> to thend we might have his L. allowance therin. Who, although, for his owne p<sup>nt</sup> he doth very well lyke of M<sup>r</sup>. Charke, for many good giftes in him, wherof also himself remembred some particulars, and gave him his very good commendacions, yet he wished the Ll<sup>ts</sup> to be made acquainted therew<sup>th</sup> to thend y<sup>t</sup> their good allowance and approbacion might concur w<sup>th</sup> his for M<sup>r</sup>. Charks better encorage-ment and contynuanee in y<sup>t</sup> place. And forasmuche as we are desirous thereof o<sup>r</sup>selves, and consider y<sup>t</sup> you are, (as we do soe accompt you one of us,) we have thought good to use your meanes in procuring some tre

from y<sup>r</sup> L. and others, to such effect as may seme good to their Ll<sup>rs</sup>, wherein we would have bene redie to have given o<sup>r</sup> owne attendance, but y<sup>t</sup> we have so good and readie meane as yow are, on whom we are bold to laye this burden for this tyme. And so fare yow well.

“Yo<sup>r</sup> loving friends.” \*

A copy of a letter, apparently from the lord treasurer to the bishop of London, on the same subject, is also in the same volume of Lord Burghley's papers :—

“After o<sup>r</sup> hartie commendacions, where we are geven to understand that the Benche of Lincolns Inne have made choise of late of M<sup>r</sup>. Charke to be their preacher, as other howses of Courte have likewise done of others, and that yo<sup>r</sup> L. having bene made acquainted therw<sup>th</sup>, (as in these cases we thinke it requisite,) have desired, notw<sup>th</sup>standing yo<sup>r</sup> owne good lyking, to have some signification of ours also. We considering the greate hope of good to be done by such meanes in those places, and understanding the habilitie of M<sup>r</sup>. Charke sufficiently for y<sup>t</sup> purpose, have thought good to joyne o<sup>r</sup> good lyking to yours to the furtherance of so good a service, as we hope this wilbe to God and to hir Mat<sup>ie</sup>. And so we bidd yo<sup>r</sup> L. right hartely farewell.

“Yo<sup>r</sup> loving friends.” †

In 35 Eliz., upon the removal of the above-mentioned Mr. Charke, the Archbishop of Canterbury wrote his letters to the Masters of the Bench of Lincoln's Inn, requesting them to proceed in the choice of another divinity reader. The bench thereupon on the 6th February in the same year, ordered‡ that there

\* MS. Lansd., No. 106, art. 15, fol. 81.

† MS. Lansd., No. 106, Art. 15, fol. 82.

‡ Dug. Orig.

should be two learned men chosen out of the University of Oxford, and two others out of the University of Cambridge, to read each of them quarterly a divinity lecture in the chapel twice every week, and to preach upon the Sunday, and at such other times as there should be a communion appointed; for the first half year they of Oxford to begin, and then for the other those of Cambridge, and that they should for this pains have quarterly 10*l.* a-piece, as also their diet with the masters of the bench in term time, and in the vacation times when no table is kept for the benchers, their commons to be free with the masters at the bar, at the public charge of the house.

The old chapel having become dilapidated, it was ordered on the 22nd June., 8 Jac., that it should be pulled down, and that a 'fair large chapel' should be erected in a place more convenient than the site of the old one, which was not large enough for the society. Nothing was done respecting the new building till 15 Jac., when a committee was appointed to consider the means of erecting a chapel according to a design of Inigo Jones, the King's Surveyor-General; the expense being estimated at 2,000*l.* Sir James Ley contributed 120*l.*, Thomas Spenser, Esq., 120*l.*, Sir William Owen, 100*l.*, Sir Henry Hobart, 100*l.*, and several gave smaller sums. These subscriptions being insufficient, on the 4th Oct., 17 Jac., it was ordered by the Bench that each of the masters of the bench and associates thereunto, should pay toward the structure 20*l.* a-piece; each of seven years' continu-



ance at the bar twenty nobles; each of the bar under that time, 5*l.*, and each gentleman of the house under the bar, 40*s.*

The works were finished within five years from their commencement, and the new chapel was consecrated upon Ascension Day, A.D. 1623, in 22 Jac. The ceremony of consecration was performed by George Mountaine, Bishop of London, and the sermon on the occasion was preached by the celebrated John Donne, D.D.,\* whose *Satires* have been versified by Pope. Dr. Donne afterwards printed the sermon, dedicating it to the Benchers of Lincoln's Inn.

This chapel is very much admired. It is built upon cloisters, which are regularly divided, and consist of six Gothic groined arches, with Gothic ribs intersecting each other; the intersections being embellished with roses, shields, and various clustered decorations. Within the cloisters lies the body of John Thurloe, Secretary of State to Oliver Cromwell, and a member of this society, who died February 27, 1667. 'Thurloe State Papers' were published in 1742, in seven volumes, edited by Dr. Birch. The principal part of them were discovered in Thurloe's chambers, No. 13, near the chapel, concealed in a false ceiling in the garret. They were placed in the hands of Lord Chancellor Somers, and afterwards descended to Sir Joseph Jekyll, Master of the Rolls, upon whose decease they were purchased by Giles, the bookseller.

William Prynne, the author of the '*Histrio Mastix*,'

\* Dean of St. Paul's.

for publishing which he was sentenced to pay a fine of 5,000*l.*, to be expelled the University and Lincoln's Inn, to be degraded from his profession, to stand twice in the pillory and lose an ear, was also buried here. Butler composed the following epitaph upon this eccentric character :—

“ Here lies the corse of William Prynne,  
 A bencher once of Lincoln's Inn,  
 Who restless ran through thick and thin.  
 This grand scripturient paper-spiller,  
 The endless, needless, margin-filler,  
 Was strangely tost from post to pillar.  
 His brain's career was never stopping ;  
 But pen with rheum of gall still dropping ;  
 'Till hand o'er head brought ears to cropping.  
 Nor would he yet surcease these themes,  
 But prostitute new virgin rheams,  
 To types of his fanatic dreams.  
 But whilst he this hot humour hugs  
 And for more length of tedder tugs,  
 Death fang'd the remnant of his lugs ! ”

The inscription on his grave is as follows :—

Guliel. Prynne, arm. de banco  
 Hujus hospitii. Obiit ibi  
 24 Octob. 1669,  
 Ætat. 69.

On the staircase by which you ascend to the chapel, there is a tablet to the memory of the daughter of Henry Lord Brougham, lately Lord High Chancellor of England, on which are inscribed the following lines, from the pen of the Marquess Wellesley :—

M

Blanda anima, e cunis, heu! longo exercita morbo  
 Inter maternas, heu! lacrymasque patris,  
 Quas risu lenire tuo jucunda solebas,  
 Et levis, et proprii vix memor ipsa mali:  
 I pete cœlestes ubi nulla est cura recessus!  
 Et tibi sit nullo mista dolore quies!

In the porch of the chapel on the right-hand side, is a tablet to the memory of the Right Hon. Spencer Perceval, formerly her Majesty's Attorney-General, and Treasurer of Lincoln's Inn, 1803, who was assassinated in the lobby of the House of Commons, 11th of May, 1812. The inscription on the tablet is as follows:—

M. S.  
 VIRI HONORATISSIMI  
 SPENCER PERCEVAL,  
 SOCII NOSTRI DESIDERATISSIMI  
 HANC TABULAM  
 HOSPITII LINCOLNIENSIS  
 THESAURARIUS ET MAGISTRI DE BANCO  
 P. P.  
 QUIS ET QUALIS FUERIT,  
 QUA GRAVITATE, FIDE, CONSTANTIA,  
 QUO ACUMINE ET FACUNDIÆ IMPETU  
 MITEM ILLAM SAPIENTIAM  
 ET SUAVISSIMAM NATURÆ INDOLEM  
 AD OFFICIA PUBLICA STRENUE OBEUNDA  
 EREXERIT ET FIRMAVERIT,  
 QUANTO DENIQUE SUORUM, ET PATRIÆ, ET HONORUM  
 OMNIUM LUCTU  
 VITAM INNOCUAM, PROBAM, PIAM  
 UNIUS SCELUS INTERCLUSERIT  
 ANNALES PUBLICI MANDABUNT POSTERIS,  
 NOS ID TANTUM AGIMUS,  
 UT, QUEM PRIVATA NECESSITUDINE NOBIS CONJUNCTUM  
 HABUERIMUS,  
 PRIVATA PIETATE PROSEQUAMUR.  
 T.  
 N. G. C.  
 1818.

The screen, gallery, pews, and pulpit of the chapel are of fine dark oak, carved; the windows, which are of Gothic structure, are decorated with stained glass:—

“ The silver light so pale and faint,  
Shews many a prophet and many a saint,  
Whose image on the glass is dyed.”

FIRST WINDOW, SOUTH SIDE.

The window contains whole length portraits of St. James the Less, St. Simon, St. Jude, and St. Matthias; under which are the arms of Robert Lord Spenser of Wormleighton, Sir Henry Compton, Knt. Thomas Spencer of Clarendon, Esq., John Spencer of Ofley, Esq.

SECOND WINDOW, SOUTH SIDE.

Whole length portraits of St. Philip, St. Bartholomew, St. Matthew, and St. Thomas; under which are the arms of George Baron of Abergaveny, and Maria the daughter of Edward Duke of Buckingham, Francis Fane, Knight of the Bath, Earl of Westmoreland, Baron Le Despencer, &c., at whose expense these four windows were adorned with painted glass, and of Mary, daughter and heiress of Anthony Mildmay, Knight, A.D. 1626, Henry Baron d'Aburgaveny, and Frances daughter of Thomas Earl of Rutland, 1623, Thomas Fane, Knight, and Maria, his wife, Baroness le Dispenser.

THIRD WINDOW, SOUTH SIDE.

Whole length portraits of St. Peter, St. Andrew, St. James, and St. John; under which are the arms of Henry Earl of Southampton, William Earl of Pembroke, John Earl of Bridgewater, James Earl of Carlisle.

FIRST WINDOW, NORTH SIDE.

Whole length portraits of Abraham with his son Isaac, Moses with the Tables of the Law, St. John the Baptist, and St. Paul; under which are the arms of Christopher

Brooke, Thomas Saunderson, Roland Wandesford, William Noy, and John Took.

SECOND WINDOW, NORTH SIDE.

Whole length portraits of Jeremias, Ezekiel, Amos, and Zacharias : under which are the arms of Sir Randolph Crewe, Sir Thomas Harrys, Bart., Sir Thomas Richardson, Speaker of the Convention Parliament, and John Durcic.

THIRD WINDOW, NORTH SIDE.

Whole length portraits of David, Daniel, Elisha, and Esaias ; under which are the arms of Sir James Ley, Bart., Sir Humphrey Winch, Sir John Denham, and Sir William Jones.

WEST WINDOW

Contains the arms of Robert Aldworth, Eusebius Andrews, Robert Ashton, Sir Robert Atkyns, Edw. Atkyns, W. Ayloff, John Briscoe, Christ. Brook, Samuel Brown, Sir James Butler, Edward Bysshe, Sir John Churchill, Edward Clark, John Clerke, Godfrey Copley, Richard Creshield, Hugh Cressie, Michael Dalton, Joseph Darcy, George Daye, Henry Denne, Richard Digges, Nicholas Duck, Er. Earle, Robert Eyre, William Eyre, Edward Fetiplace, Thomas Fletcher, Nicholas Franklyn, John Glanvill, John Glyn, Guybon Goddard, Sir Francis Goodricke, Richard Graves, John Greene, Edward Hadd, William Hakewell, John Harrison, John Harrington, Sir John Howell, Anthony Herend, John Herne, Charles Jones, Anthony Irby, William Lenthal,\* George Longe, Robert Mason, Thomas Milword, Sir Peter Mutton, William Noye, Sir Nicholas Pedley, William Philipps, Francis Poulter, Thomas Powys, William Prynne, Hugh Pyne, William Ravenscroft, Edward Rich, Edwin Rich, Hugh Rigby, Thomas Sanderson, Oliver St. John,† Jasper Selwyn, Henry Shirfield, Thomas Spenser, James Stedman, Sir Richard Stote, Sir George Strode, Thomas Strode, W.

\* The speaker, temp. Car. I.

† Solicitor-General.

Shuttleworth, Thomas Talbot, Rich. Tayler, Thomas Tempest, Thomas Thornton, Giles Tooker, John Wakering, Richard Waltham, Rowland Wandesforth, Thomas Wentworth, Ralph Wilbraham, Sir James Wolveridge, Thomas Woodward, Eusebius Wright.

## EAST WINDOW.

This window contains the arms of the Treasurers of Lincoln's Inn, from the year 1680, to the present time. It also contains the arms of England and the arms of the Inn. Having mentioned the most conspicuous of them, in other parts of this chapter, the names of the Treasurers, from 1823 to the present year, are given below.\*

## \* TREASURERS OF LINCOLN'S INN.

- 1823. James Trower, Esq.
- 1824. William Cooke, Esq.
- 1825. William Agar, Esq.
- 1826. The Right Hon. Viscount Canterbury.
- 1827. William Owen, Esq.
- 1828. William Wingfield, Esq.
- 1829. Sir William Horne.
- 1830. Sir Giffin Wilson.
- 1831. The Right Hon. Lord Brougham.
- 1832. The Right Hon. Lord Denman.
- 1833. The Right Hon. Sir L. Shadwell, V. C.
- 1834. William George Adam, Esq.
- 1835. The Right Hon. Lord Campbell.
- 1836. The Right Hon. Sir Edw. B. Sugden.
- 1837. The Right Hon. Lord Cottenham.
- 1838. Thomas Crosby Treslove, Esq.
- 1839. Sir Charles Frederick Williams.
- 1840. William Selwyn, Esq.
- 1841. William Henry Tinney, Esq.
- 1842. The Right Hon. Thomas Pemberton Leigh.
- 1843. The Right Hon. James Lewis Knight Bruce, V. C.

The following distinguished divines have been preachers of this inn :—

James Usher, D.D., Archbishop of Armagh. This eminent scholar was created a *member* of this inn in January, 1626, having, three years previously, been admitted a member of Gray's Inn. In 1647 he was appointed preacher of Lincoln's Inn, where he was accommodated with handsome chambers in which he resided till within a few months of his death, March, 1655.

John Tillotson, D.D., Archbishop of Canterbury, 1694, one of the most celebrated ecclesiastics of the English church, was elected Preacher, at a Council of the Bench of Lincoln's Inn, held on the 20th day of November, 1663:—“At this council Mr. John Tillotson, a learned divine, is chosen to be minister and preacher of this society; and it is ordered that he shall have the same yearly exhibition and allowance which Mr. Greenfield the last preacher to the society had,—to wit, 100*l.* exhibition, payable at the end of every term by equal portions, the first payment to begin at the end of the next term, and 24*l.* more for vacation commons, and to have commons for himself and his man in term time and chambers, and Sir Robert Atkins,

1844. William Fuller Boteler, Esq.

1845. Sir John A. Francis Simpkinson.

1846. Henry William Tancred, Esq.

1847. John Beames, Esq.\*

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\* *Ex Regist.* Lincoln's Inn.

Mr. Harrison, dean of the chapel, Mr. Foxcroft, Mr. Manby, and Mr. Churchill, five masters of the bench, or any two of them, are appointed a committee to acquaint the said Mr. Tillotson with the election of him as aforesaid, and to treat with him about such things as the masters of the bench expect performance from him of, in case he accepts the place, to wit to preach twice every Lord's day, in term time, and next before and after every term, and in reading time, and once every Lord's day in vacation, and as other occasions shall require, and to administer the Lord's supper, together with the chaplain of this house every term and vacation; and also to reside constantly in the society and not to absent himself thence without leave first therefore obtained from the masters of the bench in council or the quatuor in the hall."\* Archbishop Tillotson's arms are emblazoned in the new hall, and one of the six carved figures on the screen represents him the size of life in the archiepiscopal costume of the mediæval era.

Thomas Herring, D.D., afterwards Archbishop of York, in 1743. It is worthy of observation that this learned divine conferred the degree of Doctor of Divinity on Warburton, afterwards a preacher of Lincoln's Inn, who had not graduated at a university.

William Warburton, D.D., Bishop of Gloucester, 1760, a very distinguished prelate, author of 'The Divine Legation,' and many other works, comprising sermons preached at Lincoln's Inn. In 1768, Dr.

\* Orders, Lincoln's Inn.



Warburton founded a course of Lectures in Lincoln's Inn for proving the truth of the Christian religion from the completion of the prophecies of the Old Testament in the New. These lectures continue to be regularly delivered pursuant to the directions of the founder, on the first Sunday after Michaelmas Term, and the Sunday immediately before and after Hilary Term. Several eminent men have been Warburton lecturers in Lincoln's Inn Chapel,—Bishops Hurd, Halifax, Bagot; Doctors Apthorpe, Nicholson, Layard, Pearson, &c. &c. There is a carved figure representing Bishop Warburton in full episcopal robes, on the screen of the new hall.

Francis Gastrell, D.D., Bishop of Chester, 1714, a man of distinguished piety and learning.

William Jackson, D.D., Bishop of Oxford, 1812.

William Van Mildert, D.D., Bishop of Llandaff, 1819.

William Loyd, D.D., Bishop of Oxford.

Reginald Heber, D.D., Bishop of Calcutta.

Edward Maltby, D.D., Bishop of Durham.

In the year 1658 Henry Colfer, Esq., of this Society devised 12*l.* per annum for ever for a sermon to be preached in Lincoln's Inn Chapel the first Wednesday in every month, and 8*l.* per annum for certain charitable purposes.

The bell of this chapel was brought from Cadiz, in the year 1596, by the Earl of Essex, the favourite of Queen Elizabeth. It was part of the spoil acquired by the English, under Lord Effingham in the

capture of that place, and was probably taken from one of the churches of Cadiz.

Divine service is regularly performed in Lincoln's Inn Chapel, on Sundays, and other days appointed by the Church to be observed.\*

Sir John Fortescue, the celebrated author of the work '*De Laudibus Legum Angliæ*,' Lord Chief Justice of the King's Bench, and Lord Chancellor in the reign of Henry VI., was the third son of Sir Henry Fortescue, Lord Chief Justice of Ireland, descended from an ancient family in Devonshire. He was educated at Exeter College, Oxford.† From thence he removed to Lincoln's Inn, where, having been called in due course to the bar, he read lectures on the law, which greatly raised his reputation. In the fourth of Henry VI. he was elected one of the masters of the bench in this house, and in the eighth Henry VI. was called to the state and degree of serjeant-at-law. In 1441 he was nominated one of the king's serjeants; in the following year he was constituted Chief Justice of the King's Bench, and ultimately was created Lord Chancellor, a dignity which he seems to have enjoyed but a few months. King Henry, being driven from the throne by Edward IV., Fortescue went into exile with Queen Margaret, her son Edward, and other adherents to the house of

\* *Preacher*.—The Rev. James S. M. Anderson.

*Assistant Preacher*.—The Rev. Ernest Hawkins.

*Chaplain*.—The Rev. Frederick D. Maurice.

† Bishop Tanner's '*Bibl. Brit.*'

Lancaster. While in France Fortescue composed his work 'De Laudibus, &c.,' which was written for the instruction of the young prince. After the battle of Tewkesbury he was taken prisoner, but his life was spared, and he was allowed to retire to Ebrington, in Gloucestershire, where he died and was buried, as it is supposed, in his ninetieth year.

Sir Arthur Plantagenet, Knt., natural son to King Edward IV., was admitted of this society 4th February, 2 Henry VIII. He married Elizabeth, daughter to Edward Gray, Viscount Lisle, and was afterwards advanced to the dignity of viscount with the title of Lisle. One of their daughters was married to Thomas Monk, Esq., of Potheridge, in the county of Devon, from whom was lineally descended General Monk.

Thomas More, *miles, quondam lector hujus hospitii, et postea summus Angliæ cancellarius tempore Regis Henrici Octavi.* This illustrious man, who was born in Milk Street, London, in 1480, was the son of Sir John More, one of the justices of the Court of King's Bench. Having studied at Oxford, he entered as a student at New Inn, one of the Inns of Chancery belonging to the Middle Temple, then efficient preparatory seminaries for the study of the law. More, subsequently, removed to Lincoln's Inn, and was called to the bar in this society. At an early age he composed some verses which were highly commended by Ben Jonson. The following version of '*Ne sutor ultra crepidam*' may serve as a specimen:—

“ A man of law that never sawe  
 The wayes to buy and sell  
 Wenying to ryse by merchandyse  
 I pray God spede him well !  
 A merchant eke, that will go seke  
 By all the meanes he may  
 To fall in sute till he dispute  
 His money cleane away.”

More was appointed, by the bench of Lincoln's Inn, reader at Furnival's Inn; and the lectures which he delivered on the principles of the law, during the three years in which he filled the office of lecturer there, greatly tended to increase his fame. During More's residence at Brussels he very wittily confounded a sophist in the University of Brussels, who gave a challenge to all mankind, declaring that he was ready to answer any question that might be proposed in any art or science. More accepted the challenge, and proposed the following question:—

‘ *An averia capta in Withernamia sint irreplegibilia?*’ \*

The sophist was struck dumb. He found himself not only unable to solve the query, but to comprehend the terms of it; and the whole city, it is related, were happy at seeing his arrogance so successfully chastised.

More rapidly rose in his profession, and soon attained very considerable practice. He was appointed Judge of the Sheriff's Court in the city of London, then an office of considerable importance. From his practice and the fees of the court he derived an in-

\* Whether beasts taken in Withernam are irrepleviable?

come, we are told, of 400*l.* a-year. In 1519 More resigned this office, and two years subsequently he was knighted, and was made Treasurer of the Exchequer. In the parliament of 1523, to which he was elected, More was chosen Speaker, and in 1525, he was appointed by Henry VIII. Chancellor of the Duchy of Lancaster. On the downfall of Cardinal Wolsey, 25th October, 1529, he was created Lord High Chancellor of England. He was beheaded on the 6th July, 1535.

William Rastall, Judge of the Common Pleas, the author of '*Les Termes de la Ley*,' the collection of '*Entries*,' a work highly esteemed by pleaders of the last two centuries, &c., was the son of Rastall the printer, and nephew to Sir Thomas More. He was born in London, in the year 1508, and at the age of 17, was sent to Oxford; from thence he removed to Lincoln's Inn, where he attained great proficiency in the study of the law. He was chosen summer reader to the society in the first year of the reign of Edward VI., but, being a zealous opponent of the reformed religion, he left the country and settled with his family at Louvain. On the accession of Queen Mary, he returned to England; in 1554, he was made serjeant-at-law, and shortly before Mary's death was constituted a Justice of the Common Pleas. Queen Elizabeth having ascended the throne, he returned to Louvain, and there ended his career, in the year 1565.

In the inventory of the goods of Rastall, is the

following description of his wardrobe, which is curious :—

|  |  |
|--|--|
| A violet gowne, cloke, and hood, fased with furre and lyned, precii, . . .   | iii <sup>l</sup> .   |
| A skarlet gowne, cloke, and hood, fased with ffur and lined with cotten, precii, . . .   | vi <sup>l</sup> . xiii <sup>s</sup> . iii <sup>ii</sup> <sup>d</sup> . |
| A skarlet gowne, cloke, and iii hoods, fased with grene sarsnet unlined, precii, . . .   | vi <sup>l</sup> .  |
| A violet gowne, cloke, and hood, lined with blake say, and fased with sarsenet, precii, iii <sup>l</sup> . vi <sup>s</sup> . viii <sup>d</sup> . |  |
| iii cappes and a velvet hatt, precii, . . .  | iii <sup>s</sup> . iii <sup>ii</sup> <sup>d</sup> .                    |
| A gowne ffased with velvet, precii, . . .  | xxxv <sup>s</sup> .  |
| A gowne fased with satten, precii, . . .   | xxx <sup>s</sup> .   |
| A gowne fased with martrens, precii, . . .   | liii <sup>s</sup> . iii <sup>ii</sup> <sup>d</sup> .                   |
| A kassake of unwatered Chamlet, precii, . . .  | ii <sup>s</sup> .  |
| A gowne, cloke, and hood, fased with whit furr, and lyned with cotten, precii, . . .   | liii <sup>s</sup> . iv <sup>d</sup> .                                  |
| A blake gowne, and dyed with velvet, and fased with ffoynes, precii, . . .   | xxx <sup>s</sup> .   |
| A blake gowne and ii hoods, precii, . . .  | xxvi <sup>s</sup> . viii <sup>d</sup> .                                |

Sir Thomas Egerton, Lord Chancellor of England, was born at Ridley, in Cheshire, in the year 1540. He was the son of Sir Richard Egerton, who was descended from an ancient family in that county. At the age of 17 he was admitted commoner of Brazen Nose College, Oxford; from whence, after three years' residence, he returned to Lincoln's Inn. In 1581, he was appointed Solicitor-General by Queen Elizabeth, and in the following year was chosen Lent Reader of this society, and was soon after called to be a Master of the Bench.\* In 1592, he was made

\* The returns of the members in Lincoln's Inn in Lord Burghley's paper are signed Thomas Egerton.

Attorney-General, and received the honour of knight-hood. In 1594, he was constituted Master of the Rolls, and in 1596, Lord Keeper of the Great Seal, which office he retained after the accession of James I., who conferred on him the title of Baron Ellesmere. In the year 1610, he was elected Chancellor of Oxford, and in the year 1616, was Lord High Steward on the occasion of the trial of the Earl and Countess of Somerset, for the murder of Sir Thomas Overbury.\* In the same year, on account of age and infirmity, he resigned the seals, and was created Viscount Brackley. He died in March, 1617, aged 77.

Sir Henry Hobart, Lord Chief Justice of the Court of Common Pleas, A. D. 1613, whose 'Reports' enjoy so high a reputation, was a student in this society, and double Lent Reader in the 43 Eliz. In the same year he was called to the state and degree of serjeant-at-law; and it deserves to be noticed that two years afterwards he was *exonerated* from that state and degree.† He represented the city of Norwich, for some time, in Parliament; was Attorney-general while Bacon was solicitor, and succeeded Sir Edward Coke, in his seat in the Common Pleas.

John Stubbs, a barrister of this inn, was condemned to lose his right hand for publishing a pamphlet against the proposed marriage of Queen Elizabeth with the Duke of Anjou. Stubbs entitled his work 'The Discovery of a gaping Gulf where England is like to be swallowed by another French Marriage, if

\* See the "Great Oyer of Poisoning." † Dug, Chronica Series.

the Lord forbid not the Bands, by letting her see the Sin and Punishment thereof.' He suffered the punishment with great constancy.

George Ferrars, a poet and historian of the reign of Henry VIII. and Elizabeth, was a barrister of this inn. He sat in Parliament as member for Plymouth, in the 33 Hen. VIII., and being a man of expensive habits, was taken in execution by a sheriff's officer, for a debt of 200 marks, and lodged in the Compter. The Commons no sooner heard of his confinement, than they despatched the serjeant-at-arms to demand the liberation of their member. The clerks of the Compter, supported by the sheriffs, refused to surrender their prisoner, and a scuffle ensued, in which the mace of the officer of the House of Commons was broken. The serjeant reported the matter to the House, and after a conference with the Lords, the Commons again sent and demanded the liberation of Ferrars. The sheriffs thought it prudent no longer to resist the orders of Parliament, and Ferrars was released. The two sheriffs and the party at whose suit Ferrars had been arrested, were committed to the Tower, and the Commons passed a resolution discharging Ferrars of his debt. Ferrars penned some of the verses in the masque presented to Queen Elizabeth on her visit to Kenilworth Castle.\*

Sir Henry Spelman, the author of the valuable 'Glossarium,' and other works in high repute, both in

\* Respecting the antiquity of the privileges of Members of Parliament, see 8 Hen. VI., c. i.



England and foreign countries, was a member of Lincoln's Inn, having been admitted 28 Eliz. Spelman was the intimate friend of Camden, Cotton, Selden, Dugdale, and other antiquaries, to whose labours the historical literature of this country are so much indebted. He was descended from an ancient family at Congham, in Norfolk, and studied at Trinity College, Cambridge, before his admission at Lincoln's Inn. He seems never to have practised the law, but devoted the whole of his life to historical and philological researches. He may be considered the restorer of Saxon literature; his zeal for which was manifested as well by his own studies, as by founding a Saxon professorship at Cambridge. He died at the house of his son-in-law, Sir Ralph Whitfield, in the Barbican, A. D. 1641; and, by the special order of King Charles I., his body was interred in Westminster Abbey, near the tomb of Camden.

William Lambarde, the eminent antiquary and compiler of the Saxon laws, entered Lincoln's Inn as a student in 1556. He was the son of John Lambarde, an alderman of London, and was born 18th of October, 1536. He studied at Lincoln's Inn under Lawrence Nowel, a man noted for his researches in the Saxon tongue, believing that an acquaintance with the customs and jurisprudence of the Saxon times would be useful to him in his profession. That the benchers of Lincoln's Inn fully appreciated his useful labours, is proved by the following order of council, 9th of February, 21 Eliz.:—"Forasmuch as

Mr. William Lambarde hath deserved universally well of this commonwealth and country, and likewise of the fellowship and society of this house, and is like hereafter to win greater credit to himself and the society of this house; it is therefore agreed that he shall have a room to sit amongst the society of the fellowship of the bench, as other assistants used to do, without anything paying for the same: provided always that this be no precedent to any other that shall be called to the like place hereafter, but that they shall pay for the said room such sums of money as shall be assessed by the bench." In 1592, Lambarde was appointed a Master in Chancery; in 1597, Keeper of the Rolls, and in 1600, Keeper of the Records of the Tower. He died August, 1601. There is a monument to his memory in the parish church of Seven Oaks, Kent.

*Matthæus Hale, miles, Capitalis Justiciarius ad Placita coram domino rege tenendum assignatus*, one of the brightest ornaments of English jurisprudence, was the son of Robert Hale, Esq., a barrister of Lincoln's Inn, and was born on the 1st of November, 1609, at Alderley, a village in Gloucestershire. In 1626, he entered at Magdalen Hall, in Oxford, and in Michaelmas, 1629, under the advice of Serjeant Glanville, began the study of the law in Lincoln's Inn. Noy, the Attorney-General, it is said, was one of the first to appreciate young Hale's talents, and Selden was one of his earliest friends. Hale commenced the actual practice of his profession about the year 1636;

and his great learning, prudence, and industry soon pointed him out as one of the rising lawyers of the time. He was engaged as counsel for Lord Strafford in 1640, and three years afterwards, was appointed by Parliament as one of the counsel for Archbishop Laud. In 1647, he was employed as one of the counsel for the seven members, and is said to have been retained for the defence of king Charles I., in the 'High Court of Justice,' the jurisdiction of which, however, the king refused to acknowledge. After the death of Charles, he was retained as counsel for the Duke of Hamilton, who was brought to trial for treason, for taking up arms against the Parliament. At the earnest solicitation of Cromwell, and at the advice of his friends, who thought it, we are informed, no small security to the nation, that a man of his integrity and high character, should preside on the bench, in 1653-4, he received the degree of serjeant-at-law,\* and accepted from the Protector, the office of Justice in the Court of Common Pleas, which he continued to fill till after the death of Cromwell. After the Restoration of Charles II., Lord Clarendon, the Lord Chancellor, offered him the appointment of Lord Chief Baron. He declined the office, urging "the smallness of his estate, not being above 500*l.* per annum, six children unprovided for, and a debt of 1,000*l.* lying upon him; that he was not so well able

\* The following members of Lincoln's Inn were also called to the degree of the coif, by the Parliament, during the commonwealth:—Mr. Samuel Brown, Mr. Recorder Glyn, and Mr. Earle.

to endure travel and pains as formerly, that his constitution of body required some ease and relaxation, and that he had of late time declined the study of the law, and principally applied himself to other studies, now more easy, grateful, and seasonable for him."\* At length, however, he was induced to accept the seat in the Court of Exchequer, and on the 7th of November, 1660, was appointed Lord Chief Baron. In the year 1671, upon the death of Sir John Keyling, Chief Justice of the Court of King's Bench, Sir Matthew Hale was removed from the Exchequer, and appointed his successor. In February, 1675, finding himself to be no longer adequate to the duties of his office, he surrendered his patent into the hands of the king, and expired on Christmas day, 1676. Sir Matthew Hale's will, bequeathing his valuable manuscript library to Lincoln's Inn, as a testimony of honour and respect to the society, is given in another part of this volume. There is a carved figure on the screen in the New Hall, commemorative of Hale, and his arms decorate one of the windows.

Anthony Ashley Cooper, first Earl of Shaftesbury, having studied at Exeter College, Oxford, in 1638, became a student of the law at Lincoln's Inn, and was in due course called to the bar in this society. His arms are emblazoned on the windows of the hall. Being deprived of the government of Weymouth by King Charles I., "he gave himself up," to quote the expression of Clarendon, "body and soul

\* Hargrave's Law Tracts.

to the service of parliament, with an implacable animosity to the royal interest." He raised a force under a parliamentary commission and stormed Wareham. During the protectorate he frequently formed one of Cromwell's council of state, and often, it is said, opposed the Protector's designs. He was one of the main instruments, in concert with General Monk, in effecting the Restoration. Charles II. appointed him Chancellor of the Exchequer, created him Baron Ashley, and conferred on him other marks of favour. In April, 1672, he was created Earl of Shaftesbury, and in the November following, on the resignation of Sir Orlando Bridgeman, he was appointed Lord Chancellor. Dryden says of him:—

“ In Israel's courts ne'er sat an Abethdin  
With more discerning eyes or hands more clean ;  
Unbribed, unsought, the wretched to redress,  
Swift of despatch and easy of access.”

For his opposition to the court in the House of Lords Shaftesbury was imprisoned in the Tower for upwards of a year; after his release he took an active part in the affair of Titus Oates and the alleged ‘Popish Plot.’ On the 26th June, 1680, he took the bold step of appearing at the bar of the Court of King's Bench and formally presenting to the grand jury James, Duke of York, the heir-apparent to the throne, as a Popish recusant. He also supported the bill for excluding James from the succession. On the 2nd July, 1681, Shaftesbury was seized by order of council on a charge of high trea-

son; but the grand jury ignored the bill preferred against him at the Old Bailey. A medal\* was struck in honour of his deliverance, which was hailed with acclamation by the country. Shaftesbury ended his unsteady career at Amsterdam, 21st January, 1683.

Francis Quarles, the author of 'The Divine Emblems,' &c., was a member of this Inn. He was born in Essex, and educated at Christ's College, Cambridge, from whence he removed to Lincoln's Inn and studied the law. He was cup-bearer to Elizabeth, Queen of Bohemia, and, before the Irish rebellion of 1641, acted as secretary to Archbishop Usher, in Ireland, and subsequently was chronologer to the city of London. Having espoused the cause of Charles I., he suffered much persecution from the Puritans, who plundered him of his books and valuable manuscripts.

Sir James Ley, Bart., sometime Lord Chief Justice of the King's Bench in Ireland, and afterwards Lord Chief Justice and Lord High Treasurer of England, was of this society; and was one of the contributors toward the erection of the new chapel. Sir Simonds D'Ewes gives an account of a procession which accompanied Sir James Ley to Westminster on his appointment as Lord Chief Justice. "On Saturday morning, February the 3rd, 1621, Sir James Ley rode in state from Lincoln's Inn to Westminster Hall, the students, utter barristers and benchers or readers of the house going before him on foot in their gowns, and there took his place in the King's Bench

\* See Dryden's 'Satire of the Medal.'

as Lord Chief Justice, succeeding Sir Henry Montague, made Lord Treasurer."

The celebrated author of 'Noy's Maxims,' Sir William Noy, the unscrupulous Attorney-General of King Charles I., and the projector of the memorable writs of ship-money, was a bencher in this Inn. He was one of the contributors to the fund for the erection of the new chapel, according to the design of Inigo Jones, and his arms are painted on the third window from the altar on the north side underneath the portraiture of St. John the Baptist. Noy was a most laborious student, and was justly famed for his great erudition and profound knowledge of the law, at which he was, he used to say, 'Moyling day and night;' a phrase which gave rise to an anagram, *William Noy, I moyl in law*.\* Noy was one of the conductors of the celebrated masque presented by the four Inns of King Charles I.—"No man so forward to further this action as M. Noy."†

His learned contemporary Sir Randal Crewe, successively King's Serjeant, Speaker of the House of Commons, and Lord Chief Justice of the Court of King's Bench, whose upright independence forms so strong a contrast to the subservient, if not venal, conduct of Noy, was also a member of Lincoln's Inn, and was appointed Reader in the 44 Eliz. His arms are emblazoned on the second window on

\* Dr. Johnson notices this anagram as one of the most successful of its kind.

† Straff. Letters.

the north side of the chapel under the painting of Jeremias; when king's serjeant, he contributed the sum of 20*l.* toward the erection of the chapel. Having refused to sanction the unconstitutional design of Charles I. to raise forced loans without the authority of Parliament, he was, upon the 3rd November, 1626, discharged from his office, whereupon he retired to the privacy of his estate, Crewe Hall, Cheshire. He was succeeded on the bench by Sir Thomas Richardson, also of Lincoln's Inn, and Speaker of the House of Commons, whose arms are placed under the prophet Amos in the same window in the chapel.

Sir John Denham, the poet, whom Dr. Johnson terms 'one of the fathers of English poetry,' was a student in this Society. His father was also a member of Lincoln's Inn, and his arms are emblazoned in the third window on the north side of the chapel, with the following inscription: '*Johannes Denham, miles, unus Baronum Curiae Saccarii in Angliâ et quondam Capitalis Baro Saccarii in Hiberniâ et unus Dominorum Justiciariorum in Hiberniâ.*' The younger Denham was born in Dublin: at the age of sixteen he entered Trinity College, Oxford, and in 1634 was admitted a student of Lincoln's Inn. He resided in France for many years with the exiled royal family; and after the restoration of Charles the Second was made surveyor of the king's buildings, and was dignified with the Order of the Bath.

Arthur Murphy, the author of a translation of Tacitus, of several dramatic pieces, and of a publica-



tion called 'The Gray's Inn Journal,' on the plan of the 'Spectator,' was a member of this Society. He was born at Elphin, in Ireland, in 1730, and was the son of a merchant of Dublin. He studied for nearly seven years at the College of St. Omer, and was subsequently in a London banking-house. Having written several pieces for the stage he determined to try his fortune as an actor. On the 18th October, 1754, he acted the part of 'Othello,' at Covent Garden Theatre, and afterwards represented 'Macbeth,' 'Jaffier,' 'Hamlet,' &c. In 1756 he determined to abandon the stage and apply himself to the study of the law.\* Both the Temples and Gray's Inn, it is said, refused to admit him, on the ground of his having acted as a professional player on the stage. After some time, however, he was admitted of Lincoln's Inn, and was in due time called to the bar. He was afterwards appointed a commissioner of bankrupts, and filled that office till his death, on the 18th June, 1805, in the 75th year of his age.

William Murray, Earl of Mansfield, Lord Chief Justice of the King's Bench, is one of the four illustrious lawyers in memory of whom illuminated carved figures have been placed in the niches on the screen of the new hall. He was born at Perth on the 2nd of March, 1704. At an early age he was admitted king's scholar at Westminster School. In 1728 he entered at Christ Church, Oxford; and

\* His brother, French James Murphy, was a barrister of the Middle Temple, and died at Jamaica, 1758.

while at the university entered at Lincoln's Inn. He was called to the bar in Michaelmas Term, 1731. In 1742 he was appointed Solicitor-General; Attorney-General in 1754, and Lord Chief Justice 1756. In the cases of Woodfall, the printer of 'Junius's Letters,' and of Wilkes, Lord Mansfield incurred much popular displeasure for the doctrines which he laid down respecting the law of libel; and in the riots of 1780 his house in Bloomsbury Square was attacked and set on fire by the populace. His library, MSS., papers, pictures, furniture, &c., were all consumed.—

“O'er Murray's loss the Muses wept,  
They felt the rude alarm,  
Yet blessed the guardian care that kept  
His sacred head from harm.”

Lord Mansfield declined to make any return of the amount of his loss, and, in allusion to the odium which he had incurred, said, “I honour the king and respect the people, but many things acquired by the favour of either are, in my account, not worth ambition. I wish popularity, but it is that popularity which follows, not that which is run after. It is that popularity which sooner or later never fails to do justice to the pursuit of noble ends by noble means. I will not do that which my conscience tells me is wrong upon this occasion to gain the huzzas of thousands, or the daily praise of all the papers which come from the press: I will not avoid doing what I think is right though it should draw upon me the whole artillery of libel, all that falsehood and malice can invent, or the

credulity of a deluded populace can swallow. I can say with a great magistrate upon an occasion and under circumstances not unlike, ‘Ego hoc animo semper fui, ut invidiam virtute partam, gloriam, haud infamiam putarem.’” Having presided in the Court of Queen’s Bench for upwards of thirty-two years he retired from office in 1788, being then eighty-four years of age. He died on the 20th of March, 1793, leaving no issue.

Sir James Mackintosh, the author of \*‘Vindiciæ Gallicæ,’ and of various historical and philosophical works, entered Lincoln’s Inn, in 1792, having renounced the medical profession, in which he had taken the degree of M.D. at Edinburgh, for the study of the law. He was called to the bar in 1795. Having obtained the permission of the benchers, he announced his intention of delivering a course of lectures, in Lincoln’s Inn Hall, on the *Law of Nature and Nations*. They attracted crowded audiences to the hall; about thirty peers, sixty members of the House of Commons, and most of the learned persons of the metropolis, attended. Mr. Pitt, then a bench-er of Lincoln’s Inn, thus wrote to Mackintosh:—“I have no motive for wishing to flatter you; but I must be permitted to say, that I have never met with anything so able and elegant on the subject, in any language.” In 1804 he was appointed governor of Bombay, and was knighted. He returned to England

\* This brilliant pamphlet, which went through three editions in the course of six months, appeared in 1791.

in 1812, and a few years afterwards was appointed to the professorship of law, in the East India College, at Haileybury. He died, 30th of May, 1832.

Daniel O'Connell, whose high reputation as a sound lawyer, and as a criminal and *Nisi Prius* advocate, at the Irish bar, has been in some measure overshadowed by the numerous and eventful transactions of his political life, was a member of Lincoln's Inn. The following is a copy of the entry of his admission:—\*

“ Lincoln's Inn, 1794.

“ Daniel O'Connell, gentleman, eldest son of Morgan O'Connell of Cahern, in the County of Kerry, in the Kingdom of Ireland, Esq., is admitted into the society of this Inn, this 30th day of January in the thirty-fourth year of the reign of our Sovereign Lord, George the Third, by the grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c., and in the year of our Lord 1794, and hath thereupon paid to the use of this society the sum of three pounds three shillings and fourpence.

“ Admitted by

“ F. BURTON.”

Mr. O'Connell was born 6th of August, 1775, and died 15th of May, 1847, at Genoa.

Among other distinguished members of Lincoln's Inn, whose names have not already been mentioned, are Richard Bellewe, author of an ‘Abridgement of the Year Book, Rich. II.’; John Manwood, author of the work on ‘Forest Laws’; Ferdinando Pulton, author of a treatise ‘de Pace’; Michl. Dalton, author of the ‘Justice of the Peace, 1619’; Wentworth, the author

\* Lincoln's Inn Admission Book.

of the well-known book on 'Executors;' Rushworth, the editor of the 'Collections;' Francis Butler, the legal and polemical writer; the Right Honourable J. P. Curran; the Right Honourable George Canning; and Jeremy Bentham, who was a bencher of this house.

#### THE NEW HALL.

The old hall being inadequate to the wants of the society, it was resolved by the bench of this house, that a new hall, with other buildings attached, worthy of the inn, and at the same time an ornament to the metropolis, should be erected. The foundation stone of the new structures was laid in April, 1843. They consist of a hall, arranged north and south, and a library, arranged east and west; the two buildings being connected by a vestibule of a lower elevation. The hall is erected in the beautiful gardens of the inn, with Lincoln's Inn Fields on the western side. Externally, the edifice is in two stories, the principal rooms being raised considerably above the ground level, and reached by flights of steps from the exterior. The materials employed are red bricks, intersected with dark-coloured bricks, in patterns, and stone dressings, from quarries at Anston; for the interior Caen stone is used. The south end, towards New Square, exhibits a lofty gable, flanked on each side by a square tower. These towers project slightly at this end, though in a greater degree at the sides of the building. They have small square-headed windows, three one above another, and are surmounted by

battlements. Beneath the battlements are shields placed in square compartments. The angles have stone coins. Between the two towers is the great window of the hall. This consists of seven lights, transomed; the head, which has a four-centred arch, being filled with very beautiful tracery. On the apex of the gable is a canopied pinnacle, containing a statue of the Queen, carved by Mr. Thomas. There is a small window, above the large one, in the gable. The whole of the chimneys are of red brick, moulded into a great variety of patterns. In dark-coloured bricks, in the gable, are the letters, P. H. —the initials of Philip Hardwick, Esq., the architect of this noble structure, and the date 1843. The whole base of the building is of stone, of which material are the walls of the esplanade on the east side, as well as the walls of the steps of ascent. At the sides, the hall consists of seven divisions or 'bays,' in length. Taking the side next the inn, the first division is occupied by the square tower. At this point in the tower, is an entrance to the building, reached by granite steps from the esplanade, and from New Square. Immediately above the door, in a square panel, is a shield bearing the arms of the inn, and above a clock of exquisite design. The remaining six bays are occupied by the windows of the hall and offices in the basement, the last bay—on each side—projecting as an oriel. The lower range of windows are of two lights, and square-headed; the upper base moulding going round them as a label.

At a considerable height above, are the windows of the hall; the bays being divided from each other by the buttresses, which project in three stages. The hall-windows are square-headed of four lights, and above is a cornice in which are grotesque and foliated bosses. Above this is the parapet and battlements, with the coping running horizontally and perpendicularly. The buttresses are surmounted by octagonal pinnacles, with ogee-caps. The oriel which occupies the last bay on each side of the building, is square, with angular buttresses. It has a lofty five-light window in the front; divided by transoms, and a similar window of one light, on the return. The roof is leaded with rolls at intervals. The north gable of the building is finished with a large and highly-ornamental stack of chimneys. In the centre of the roof is an elegant louvre constructed of wood, in three stages, with two heights of small windows, and is surrounded by slender pinnacles, bearing vanes, attached by flying buttresses. The capping is surmounted by an elegant vane, with direction-points in gilded metal-work.

The central building, which forms the entrance-corridor to the library and great hall, is much lower than the two other buildings. On each side, is a projection with angular buttresses, from which again projects a square oriel of six lights, transomed. From the different angles project gurgoyles. The whole is surmounted in the centre of the plan, by an octagonal embattled crown, each side having a window with a pointed arch and rich tracery. The angles are

strengthened by buttresses. On the east side, that next the inn, is the main carriage-entrance, which is by a broad drive up to the steps to the esplanade. Thence the ascent is by another flight of steps to a porch of entrance; a four-centered arched door, and a gable, with an animal holding a vane, upon the apex.

The oriel of the library has a very beautiful effect; it is octagonal, with slight projection, with much panelling in the angular buttresses and in the parapet, and richly ornamented with carved-work. The windows of the library have their lights in two stages, separated by the armorial bearings of those members of the Royal Family, who have visited the inn, as well as of the present Prince of Wales.

A vaulted corridor, with two short flights of steps, leads into the vestibule, a rectangular apartment fifty-six feet long, and twenty-two feet wide, having, at the south end, the door into the hall, at the north the door into the library, and east and west a door into the council-room and the drawing-room. Nearly in the centre of the vestibule four insulated clustered columns, with others attached to the side walls, and connected by obtuse-pointed arches, form an octagon, and carry an elegant lantern of the same shape, with a window in each of its sides ornamented with painted glass. The ceiling of the lantern is groined and has sculptured bosses at the intersections, which are illuminated and gilt.

We now enter the hall, which, it is no exagge-



ration to say, is one of the most noble apartments in England. Its length is 120 feet, the width 45 feet, and the height to the apex of the roof 62 feet. On either side of the dais is an oriel about eighteen feet wide, with a stone seat round it. The window on the east side is ornamented with stained glass, containing the armorial bearings of distinguished members of Lincoln's Inn chiefly brought from the old hall, which has a very grand effect. In the window on the west side, are the arms of King Charles II, the Duke of York, (afterwards James II,) and Prince Rupert, three members of the inn. Six large windows on each side light the apartment. The upper part of the side windows is filled with the arms of the benchers in stained glass executed by Mr. Willement, and the lower part with small panes marked alternately L. and I. to form a diaper. The walls all round are lined with oak-panelling, about twelve feet high, terminated with a cornice containing a carved running enrichment. The screen and gallery front at the south end are of oak highly decorated. The screen consists of a central doorway, with glazed panels, and two openings of similar form and size on each side, under arched recesses, with oak mullions and tracery also glazed. Projecting buttresses divide them, which are continued up so as to form pedestals for six figures of the size of life representing Sir Matthew Hale, Archbishop Tillotson, Lord Chief Justice Mansfield, Lord Hardwicke, Bishop Warburton, and Sir William Grant,

Master of the Rolls; over which are carved canopies connected by arches, so as to form five openings in front of the gallery, corresponding with those beneath. The figures were carved by Mr. Thomas, the chief carver at the New Houses of Parliament, by whom also the statue of the Queen in the south gable was executed.

The roof which is formed wholly of oak, is exceedingly grand, it is divided by trusses into seven compartments. Each truss comprehends one large arch springing from stone corbels attached to the walls, and has two carved pendants at the terminations of an inner arch that springs from hammer beams projecting from the walls on either side about one-fourth of the whole span. These pendants are illuminated blue, and red, and gilt, and they each carry a chandelier japanned in the same colours. Between the trusses, against the wall all round, is a machicolated cornice with a range of small panels under it, also decorated with colours. Hogarth's fine picture 'Paul before Festus,' already mentioned, is placed against the wall over the door leading to the dais.

The library is eighty feet long, forty feet wide, and forty-four feet high; has also an open oak roof in five divisions formed by trusses with pendants, and a series of arches placed longitudinally on each side, with a corresponding series against the side walls, terminating on stone corbels. The book-cases jut out on each side so as to form separate apartments for study,

and have an iron balcony running round them about midway, and another gallery over them against each wall, the whole length of the room. There are five windows on the north side, and two large oriels, all ornamented with stained glass, and circular embossed panes. The council-room and drawing-room are each thirty-two feet by twenty-four. The walls are lined with paneling, they are ceiled with deal in panels, stained and varnished with carved bosses at the intersections of the ribs, and each is lighted by a large window in six lights and two stories. They have both handsome carved stone chimney-pieces. In these two rooms there are some good pictures—a portrait of Lord Chief Justice Hale, a portrait of Lord Chief Justice Rainsford, a portrait of Sir John Franklin, Master in Chancery, a portrait of Earl Mansfield, a miniature of Lord Clarendon, a portrait of the late learned Francis Hargrave, Esq., of this Inn, by Sir Joshua Reynolds, some drawings, busts, &c., and a valuable collection of engraved portraits of nearly all the distinguished judges of England.

BANQUET, IN LINCOLN'S INN HALL, TO HER MAJESTY  
QUEEN VICTORIA.\*

On the hall being completed, by order in council of the 29th of July, 1845, it was ordered that it should be referred to a committee, to be named by the treasurer, to consider, relative to an invitation to her

\* MS. Book Lincoln's Inn.

majesty, on the opening of the hall, in order that the ceremony of opening it should, if possible, be graced and honoured by the presence of the queen. Communication in the proper quarter having been made, it was found that there was no objection on the part of her majesty to follow the precedent of former sovereigns; and, on the 6th of October, on a special visit for the purpose being made to Windsor Castle by the treasurer, J. A. F. Simpkinson, Esq., the Vice-Chancellor of England, and William Selwyn, Esq., a formal acceptance of the invitation was given by the queen. It was then arranged that her majesty would be present at a *déjeûner*, on the 13th of October. Accordingly, no time was lost in making the necessary preparations, and an advertisement was inserted in the daily newspapers, requesting all barristers of Lincoln's Inn, who wished to attend the ceremony, to put down their names before a certain day, as it was important to know how many would attend.

About three hundred and eighty put down their names, and afterwards it was considered proper that certain students should attend.

The 13th of October having arrived, and admission being only to be had by tickets, there was no disorder or crowding in any part of the day. Many barristers attended in their professional costume, walking about the inn singly, or in twos and threes; many ladies also attended, who had seats in the gallery at the end of the hall, chiefly either wives or daughters of the benchers.

The queen's counsel wore their silk gowns and their long full-bottomed wigs. Lord Cottenham, Lord Campbell, and the speaker, wore their black velvet court dresses; the three vice-chancellors their full dress judges' wigs, and Lord Bexley his blue-and-gold official dress, as a former minister of the crown.

For some hours before the arrival of the queen, all Lincoln's Inn was in commotion; but the hall doors were to be closed at one o'clock, and, as that hour approached, the hall became fuller; all steps turned thitherward, and the tables soon became occupied. At the top of the hall, a table, was placed upon the dais for the Queen, His Royal Highness the Prince Albert, and the other guests who accompanied the queen, the benchers and the preacher of the inn; and then, transversely, four tables, reaching to the bottom of the hall, were devoted to the bar, and such of the students as were permitted to attend. Each plate was numbered, and the barristers were placed according to their seniority. The tables were also handsomely and substantially decorated and furnished; the entertainment being a cold one. The band of the Coldstream Guards attended, and played during the time her majesty was in the hall.

At the top of the hall, from time to time, appeared not only the benchers, but the cabinet ministers, who were invited. Lord Campbell was one of the first to make his appearance, and the Duke of Wellington, dressed as a field-marshal, but entirely undecorated. Lord Lincoln made his appearance as a cabinet

minister. All the benchers being assembled, and, the hour of arrival drawing near, the procession for receiving her majesty, headed by the treasurer, made its way down the hall, and placed itself at the south-east entrance of the hall, and shortly afterwards the queen, attended by Prince Albert, four ladies in waiting, and certain high officers of the household, arrived. The party came in five private carriages, attended by a body of the Life Guards; and, immediately, in the hall, the National Anthem was heard, and, in a few moments afterwards, Mr. Doyle, the steward, announced 'the Queen.' Her majesty entered, passing up the middle of the hall, leaning on Prince Albert's arm, and preceded by the treasurer, walking backwards, amidst loud and hearty cheering.\* Her majesty walked to the library, followed by her ladies, the cabinet ministers, officers of state, and the benchers, who came, two and two, according to the date of their election to the bench. The queen wore a blue drawn silk bonnet, with a blue feather; a dress of Limerick lace, and a scarlet shawl, with a broad gold edging.

In the library, the Queen, seated on a chair of state, held a short levee, and received an address from the benchers, the barristers, (who were represented by Mr. Montague Chambers, Queen's Counsel, but created too recently to be elected to the bench,

\* There is a water-coloured drawing representing her Majesty entering the hall, in the drawing-room, Lincoln's Inn.

and four senior barristers,) and the students or fellows, two of whom were also present.

A chair was placed for the Prince on the left of her Majesty. His Royal Highness did not occupy it, but remained standing.

The address was read by the treasurer, to the Queen, on his knee, and was as follows:—

“ TO THE QUEEN’S MOST EXCELLENT MAJESTY.

“ The humble address of the Treasurer and Masters of the Bench, the Barristers, and Fellows of the Society of Lincoln’s Inn.

“ MOST GRACIOUS SOVEREIGN :

“ We, your Majesty’s faithful subjects, the Treasurer and Masters of the Bench, the Barristers and Fellows of the Society of Lincoln’s Inn, entreat your Majesty’s permission humbly to testify the joy and gratitude inspired by your august presence.

“ The edifice in which, under such happy auspices, we are for the first time assembled, is adorned with memorials of many servants of the Crown, eminent for their talents, their learning, and their integrity. To the services, as recorded in history, of these our distinguished predecessors we appeal, in all humility, for our justification in aspiring to receive your Majesty beneath this roof.

“ Two centuries have nearly passed away since the Inns of Court were so honoured by the presence of the reigning Prince. We cannot, therefore, but feel deeply grateful for a mark so conspicuous of your Majesty’s condescension, and of your gracious regard for the profession of the law.

“ It is our earnest desire to deserve this proof of your Majesty’s favour by a zealous execution of the trust reposed in us, to guard and maintain the dignity of the bar of England.

"In our endeavours to this end we shall but follow in the course which it has been your Majesty's royal pleasure to pursue. Signally has your Majesty fostered the independence of the bar, and the purity of the bench, by distributing the honours which you have graciously bestowed on the profession among the members of all parties in the state.

"Permit us also, most gracious Sovereign, to offer to your Majesty our sincere congratulations on the great amendments of the law which have been effected since your Majesty's accession to the throne, throughout many portions of your vast empire.

"The pure glory of these labours will be dear to your Majesty's royal heart, for it arises from the welfare of your subjects.

"That your Majesty may long reign over a loyal, prosperous, and contented people, is our devout and fervent prayer to Almighty God."

#### HER MAJESTY'S REPLY.

"I receive with cordial satisfaction this dutiful address.

"My beloved Consort and I have accepted with pleasure your invitation; for I recognise the services rendered to the Crown, at various periods of our history, by distinguished members of this society; and I gladly testify my respect for the profession of the law, by which I am aided in administering justice, and in maintaining the prerogatives of the Crown and the rights of my people.

"I congratulate you on the completion of this noble edifice; it is worthy of the memory of your predecessors and of the station which you occupy in connection with the bar of England.

"I sincerely hope that learning long may flourish, and that virtue and talent may rise to eminence within these walls."



The above address and its answer having been read, the treasurer was knighted, and his Royal Highness Prince Albert, was invited to become a member, to which he at once assented, and the admission-book being handed to her Majesty and Prince Albert, they were graciously pleased to sign their names therein, as also did the following persons,—The Lord Chancellor, the Duke of Wellington, the Marquess of Exeter, the Earl of Aberdeen, Lord Liverpool, the Earl of De la Warr, the Earl of Jersey, the Earl of Hardwick, the Earl of Lincoln, Lord George Lenox, Sir James Graham, Colonel Bouverie, the Hon. Colonel Grey, the Hon. Captain Alexander Hood, and Captain Francis Seymour.\*

Prince Albert was subsequently made a barrister and a bencher; and by his acceptance of those degrees conferred additional honour on the Inn.

The ceremony being over in the library, her Majesty, accompanied by his Royal Highness, and attended by the above party then proceeded to the Hall. Grace having been said by the chaplain, the assembly received the permission of the Queen to be seated. Her Majesty, occupying a chair of state with a canopy, partook of the banquet.

On the right of the Queen sat Prince Albert, next to his Royal Highness, the Lord Chancellor, supported by the Duke of Wellington, and the Earl of Aberdeen.

\* The same book also contains the autograph of his Royal Highness the Duke of Cambridge, 25th March 1847.

On the left of her Majesty sat the Treasurer, Sir Francis Simpkinson, and one of the ladies in waiting, next the Earl of Hardwick, and others of the court.

At the end of the banquet, which lasted about half an hour, grace was again said, and then the treasurer, having received permission from her Majesty to propose a toast, proposed the health of the royal and illustrious visitor, the Queen, who had that day honoured them with her royal presence. This was responded to with many cheers. When the cheering had subsided, the treasurer, after stating that his royal highness had that day become a member of the Inn, begged, with the permission of her Majesty, to propose the health of 'the new member, — his Royal Highness, Prince Albert.' This was also received with loud cheering, and was rendered more interesting by the manner in which the Queen joined in the toast. His Royal Highness returned thanks, and said he had received her Majesty's commands to propose 'Prosperity to the Honourable Society of Lincoln's Inn,' which was drunk. Soon after, the Queen, accompanied by the ministers and benchers, withdrew amidst loud cheering. Her Majesty and her party retired into the Council Room, from whence, after her carriage had been summoned, Her Majesty came again into the Hall, and, accompanied by the treasurer and benchers, proceeded amid loud cheers and departed.

It is further to be noticed that Prince Albert, on

withdrawing, after the feast, put on a student's gown over his field-marshal's uniform and so wore it on retiring from the Hall.

#### THE LIBRARY.

The library of this Inn is worthy of the magnificent apartment appropriated for study in the buildings attached to the new hall. It contains many valuable manuscripts, and upwards of 10,000 volumes on legal and cognate subjects, fresh additions being made to it every year. John Nethersale, a member of this society, may be considered as the founder of the library. In 13 Hen. VII. he bequeathed forty marks, partly towards the building a library for the benefit of the students of the laws of England, and partly that every priest of this house then being, or hereafter to be, who should celebrate mass and other divine service every Friday weekly, should then sing a mass of *requiem*, and also in the time of the said mass, before his first lavature, say the psalm of *de profundis*, with the orisons and collects accustomed, for the repose of his soul. In 24 Hen. VII. the building of the library seems to have been completed. In the reign of King James I., an order was made at a council of the bench, that for the more speedy furnishing the library with books, every one that should thenceforth be called to the bench in this society should give 20s. towards the purchase of books, and every person thenceforth

called to the bar the sum of 13s. 4d., all which sums were directed to be paid to Mr. Mathew Hadde, who, for the better ordering of the said library, was then made master thereof. Lord Chief Justice Hale bequeathed his valuable collection of MSS. to this library, and left the following directions in his will concerning them :—

“ As a testimony of my honour and respect to the Society of Lincoln's Inn, where I had the greatest part of my education, I give and bequeath to that honourable Society the several manuscript books contained in a schedule annexed to my will. They are a treasure worth the having and keeping, which I have been near forty years gathering with very great industry and expense. My desire is that they be kept safe and all together in remembrance of me. They are fit to be bound in leather, and chained and kept in archives. I desire they may not be lent out or disposed of: only if I happen hereafter to have any of my posterity of that society that desires to transcribe any book, and gives very good security to restore it again within a prefixed time, such as the benchers of that society in council shall approve of, then, and not otherwise, only one book at one time may be lent out to them by the society; so that there be no more but one of those books abroad out of the library at any one time. They are a treasure not fit for every man's view, nor is every man capable of making use of them. Only I would have nothing of these books printed, but entirely preserved together for the use of the industrious and learned members of that worthy society.”

Hale's collection may be classified under three heads :—

- |                       |   |
|-----------------------|---|
| 1. Statute Law.       | { Statutes, on vellum, illuminated.<br>{ Other parliamentary matter.  |
| 2. Common Law, &c.    | { 1. Ancient writers on the law.*<br>{ 2. Copies and extracts of records<br>in the tower, of various sorts.<br>{ 3. Itinera, Placita, et Assiza.<br>{ 4. Repertories of, and references<br>to records in public offices.<br>{ 5. Reports of Judicial proceed-<br>ings; M.S. Year Books, &c.   |
| 3. Miscellaneous MSS. | { 1. Pipe Rolls, Edw. IV.<br>{ 2. Lindewode's Provincial Con-<br>stitutions.<br>{ 3. Liber Niger Admiralitatis.<br>{ 4. Inquisitions at Lynn, Hen.<br>VIII.<br>{ 5. Curia Militaris; cases of duel<br>to Hen. VI.<br>{ 6. Extracts from records concern-<br>ing the Mint.<br>{ 7. Claims at the Coronation Rich.<br>II.<br>{ 8. Chartularies of Battle and<br>Bath.<br>{ 9. Lord Hale's Common Place<br>Book. Described by himself<br>"The Black Book of the<br>New Law, collected by me,<br>and digested into alphabeti-<br>cal titles, written with my<br>own hand, and which is the<br>original copy." |

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\* MS. copies of 'Glanville,' 'Bracton,' 'Fleta,' and the 'Miroir.'

John Coxe, Esq., Treasurer of this society, A. D. 1775, bequeathed his valuable collection of books to the society.

By an order of council, 6th July, 1808, the manuscript collection of the books and notes of the late Mr. Serjeant Hill,\* for many years a member of the midland circuit, and for thirty-five years the king's ancient serjeant, was purchased by the society and deposited in the library.

Among the recent important additions to the library deserve to be noticed ninety-seven bundles of MSS. consisting chiefly of the paper books of Ashurst, J.; Buller, J.; Lawrence, J.; and Dampier, J.; presented to Lincoln's Inn by John Lucius Dampier, Esq.; also a collection of books upon the civil law and upon the modern law of foreign countries, presented by Charles Purton Cooper, Esq.

There is a master of the library elected annually from among the benchers, who appropriates the library fund to the purchase of new works. Every gentleman, on being called to the bar, contributes five pounds to the library, and every master of the bench, on his election, contributes eleven guineas.

The library is regularly open every day (Sunday excepted,) from ten o'clock till four o'clock during term time, and during the same hours in vacation, with the exception of the month of September.

\* Mr. Serjeant Hill died Feb. 21st, 1808, aged 92. When upwards of 90 he addressed a vigorous memorial to the Lord Chancellor respecting the plot to assassinate the Emperor Napoleon.

Several of the members of this Inn have testified their affection to the society by bequests and gifts:—

Lord Wyndham, Baron Finglass, and Lord Chancellor of Ireland, left by his will 200*l.* to be expended in decorating the hall, which sum was applied in the purchase of Hogarth's picture of Paul before Felix.

Sir Rowland Wandesford, Attorney-General of the Court of Wards, and one of the Masters of the Bench, bequeathed to the society "one fair silver bason and ewer," with an inscription and his arms engraven thereon, 1652.

John Greene, Esq., one of the Masters of the Bench, and Recorder of the City of London, 1692, gave a large silver cup with two ears, to be used upon festival days as *poculum charitatis*.

William Fellowes, Esq., one of the Masters of the Court of Chancery, and a Master of the Bench, presented a large silver punch-bowl with an escalopped rim and two handles, with his arms and inscriptions, 1718.

John Coxe, Esq., Treasurer, 1775, bequeathed his valuable collection of books, several paintings, and a marble bust of Cicero to the society.

Sir John Churchill, one of the Masters of the Bench, and a Reader of the society, "gave a faire large diall to this societie and plac'd the same upon the summer-house at the north end of the inner garden."

Nicholas Franklyn, Esq., one of the Masters of the Bench, and Reader of this society, gave two large silver flagons and salvors, to be used in the chappell of this society, with his armorial bearings.

Edward Rich, Esq., presented a handsome silver cup with two handles and a cover to the society, Car. II<sup>d</sup>. R<sup>s</sup>, 17<sup>o</sup>.

Arthur Earl of Anglesey, a member of this society, and Keeper of his Majesty's Privy Seal, presented a silver

basin and ewer, with his armorial bearings and an inscription, 1675.

Sir Richard Rainsford, one of the Justices of the King's Bench, 1673, and subsequently Lord Chief Justice, whose portrait is in the Council Room, presented a large silver cup to the society, with the following inscription : —“ *Hoc Pignus amoris Dicavit Ricardus Rainsford Mil. Capitalis Justiciarius de Banco Regis, Hospitio Lincolnensi Matri suæ semper Colendæ, 1677°.*”

Cavendish Weedon, Esq., presented a carved model of Lincoln's Inn chapel to the society.

Sir James Allan Park, a bencher, and Justice of the Common Pleas, in 1806, presented two silver-gilt chalices for the use of the chapel with the arms of the Inn engraved upon them, and an inscription.

#### TANCRED'S STUDENTS.

Christopher Tancred, of Whixley, in Yorkshire, with a zeal for the promotion of sound learning that deserves praise and imitation, in the year 1754 bequeathed a considerable property vested in trustees to be appropriated for ever to the education of twelve young men; four to be instructed in divinity at Christ's College, Cambridge; four in the study of physic at Gonvil and Caius College, Cambridge, and four in the study of common law at Lincoln's Inn. The trustees are—the Master of Christ College, Cambridge; the Master of Gonvil and Caius College, Cambridge; the President of the College of Physicians, London; the Treasurer of the Honourable Society of Lincoln's Inn; the Master of the Charter House or Sutton's Hospital; the Governor of Greenwich and Chelsea Hospitals, and



their successors for ever. In 1761 these trustees were incorporated by Act of Parliament. The persons elected are styled *Tancred's students*: they must not be less than sixteen years of age, must be natives of Great Britain, and of the Church of England, and of such low circumstances as not to be capable of obtaining the education directed by the testator without such assistance. To each of the students is given the sum of 50*l.* per annum, and this is continued for three years after they have taken respectively the degrees of Bachelor of Arts, Bachelor of Physic, and Barrister-at-law. The election of Tancred students is made as often as any vacancy occurs twenty-eight days after such vacancy; the election taking place in Lincoln's Inn Hall. A Latin oration in commemoration of the liberality of the donor is every Hilary Term delivered by one of the students in the hall. Candidates for Tancred's studentships apply by petition in the following form:—

“ TO THE GOVERNORS AND TRUSTEES OF TANCRED'S  
CHARITIES.

“ The petition of A. B. sheweth that your petitioner is the son of ———, and was born at ———, in the month of ———, 18—.

“ That your petitioner is of the religion of the Church of England, and is in every respect qualified to be a student in the common law upon the foundation of Christopher Tancred, Esq. And, in regard, your petitioner is of such low abilities as not to be capable of obtaining the education directed by the settlement of the said Christopher Tancred, the founder, without the assistance of such

charity as is thereby given: Your petitioner, therefore, prays that he may be admitted a student in the common law at Lincoln's Inn upon the foundation of the said Christopher Tancred. And your petitioner will pray, &c."

To this petition must be annexed a certificate signed by the minister of his parish in the following form:—

"I do hereby certify that A. B., the petitioner in the annexed petition, is a native of Great Britain, and of the religion of the Church of England, and that he was baptised at the parish church of ———, the day of ———, in the year of our Lord ———. As witness my hand this day of ———, ———."

All *Tancred's students* desirous of entering on the study of the law are, by a resolution of the Four Inns of Court, 20th of April, 1799, exempted from the deposit of 100*l.* required from other members on admission.

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## FURNIVAL'S INN.

Thavie's Inn and Furnival's Inn were formerly Inns of Chancery, appendages of Lincoln's Inn, and the latter is still the property of the society. Thavie's Inn was a residence of students in the time of King Edward III., as appears by the last will and testament of John Thavie, who died in that reign.\* In the reign of Edward VI., George Nicholas, citizen and mercer of London, granted the property to the benchers of Lincoln's Inn, and their successors, for the use of the students of the law; after which time it was demised to

\* Dug. Orig.

the principal and fellows of Thavie's Inn, which society had been, it would seem, from Fortescue, one of the lesser houses of Lincoln's Inn, for some centuries previously, at an annual rent of 3*l.* 6*s.* 8*d.* In 1769, Thavie's Inn was sold by the benchers of Lincoln's Inn to Mr. Middleton. It was subsequently destroyed by fire, and a range of private buildings now occupies its site.

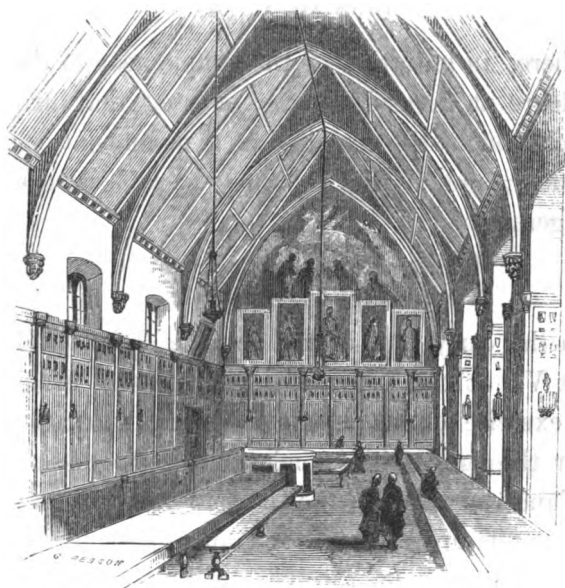
Furnival's Inn was anciently the residence of the noble family of Furnival, and was demised by them to certain students of the law, who occupied it in 9 Henry IV. The inheritance of it having passed to Francis Earl of Shrewsbury, it was sold by him on the 1st of December, 1 Edw. VI., in consideration of 120*l.* to Edward Gryffin, Esq., then solicitor-general to the king, William Ropre and Richard Heydone, Esqs., and their heirs to the use of the Society of Lincoln's Inn. From this time the principal and fellows of Furnival's Inn paid to the Society of Lincoln's Inn the yearly rent of 3*l.* 6*s.* 8*d.* The inn was rebuilt in the reign of James I., it is supposed from a plan of Inigo Jones, and the society continued to occupy it till the year 1817. In that year the old and ruinous buildings having been partly destroyed by fire, and having partly fallen down, a new lease of the whole of the ground was granted for ninety-nine years, at a rent of 500*l.* per annum, and 76*l.* land-tax redeemed to Mr. Henry Peto, who erected the present substantial and commodious inn, which now forms one of the most prominent objects in Holborn in the widest and most

elevated part of which it is situated. The inn, which is extra-parochial, now contains 109 sets of chambers, consisting of two, three, four, or five rooms each, besides the basements; all well lighted and ventilated, with good stone stair-cases secure from fire, and well supplied with water. The Society of Furnival's Inn seems to have ceased to exist as a community in 1817.

The gentlemen of Thavie's Inn and Furnival's formerly enjoyed many privileges at Lincoln's Inn. In 27 Eliz., by an order of the bench at Lincoln's Inn the admission of the gentlemen of those two Inns of Chancery was fixed at 40s., while for students from other Inns of Chancery it was five marks; and in 36 Eliz. it was ordered that gentlemen of those two lesser houses might, after their admittance in Lincoln's Inn, stay two years in those houses, paying their pensions during those two years, and that they should be discharged of casting into commons and of all vacations and charges of Christmas during the time of their stay in Lincoln's Inn for those first two years. Sir William Jones, Chief Justice of Ireland, afterwards a Justice of the Common Pleas and King's Bench in England, was for two years a student in Furnival's Inn previously to his admission to Lincoln's Inn, and many other eminent lawyers acquired the elements of the law in this seminary. The studies and exercises in the two Inns of Chancery, as well as all others, were under the direction of the benchers of the Inn of Court to which they belonged. In 38 Eliz. it was ordered at a council in Lincoln's Inn that the readers in chancery

should thenceforth keep their summer and Lent readings by the space of three weeks in each vacation, and each of them perform three grand moots with their pleadings, two lectures for every of their cases and also reading each of those weeks, and in the term time that they should hold two petty mootes in each week, as also in each week of the term read two lectures at the least, and leave the same written in paper in the house, accordingly as in former times had been used and accustomed. Sir Thomas More for three years filled the office of reader in this inn with great reputation. The arms of Furnival's Inn are Arg. a bend betwixt six martlets with a bordure azure.\*

\* Carter's 'Analysis of Honor.'



## CHAPTER VIII.

### Inner Temple.



IN the beginning of the reign of King Henry II. the Knights Templars, who were then in the plenitude of their power throughout Europe, removed from the Old Temple in Holborn, which stood on the site of the present Southampton Buildings, and took up their residence on the banks of the Thames, on the space of ground extending from White Friars to Essex House without Temple Bar. From henceforth this residence obtained the name of *Novum Templum*:—

“ Here whilom wont the Templar knights to bide.”

and here, in imitation of the temple near to the holy sepulchre at Jerusalem, they erected that exquisite church which still remains as a monument of their grandeur, and of which it may be said, without any exaggeration,—

“ *Ut rosa flos florum,  
Sic est domus ista domorum.*”

In the early part of the reign of Edward II. Clement V., at the instigation of Philip of France, by the exercise of his apostolic power, suppressed the order throughout Christendom. Their possessions in England came to the crown; and the king bestowed the Temple upon Thomas Earl of Lancaster; but that earl forfeited it by rebellion, and it reverted to the crown. The king now granted it to Adomare de Valence Earl of Pembroke, and after his decease to Hugh le Despenser the younger for life. It, however, devolved once more to the crown, Despenser being attainted in the first year of King Edward the Third. By a decree of the council at Vienna the lands of the Templars were ordered to be transferred to the Knights Hospitallers of St. John of Jerusalem; in accordance with which King Edward the Third granted the Temple to that order in England; who soon afterwards, according to tradition,\* demised the same for the rent of 10*l.* per annum to contain professors and students of the law, who came from Thavie's Inn in Holborn. We find that in the 18 Edw. III., Clifford's Inn, one of the Inns of Chancery, dependant on the Inner

\* Dug. Orig.

Temple, was then inhabited by *apprenticiis de banco* ; from which it may be inferred that the College of Common Lawyers had been settled in the Temple prior to that date. Notwithstanding the destruction of the records of the Temple by Wat Tyler and several subsequent calamities from fire, there is sufficient testimony to prove that in the reigns of Edward III. and Richard II., the Temple was then the residence of those learned communities which have since made the name of 'Templar' even more renowned than the Red Cross Knights had in their time done.

Chaucer gives us the following account of the Temple in his day :—

“ A manciple\* there was of the Temple,  
 Of which all catours might taken ensemple,  
 For to be wise in buying of vitaille;  
 For whether he pay'd or took by taile,  
 Algate he wayted so in his ashate,  
 That he was aye before in good estate.  
 Now is not that of God a full faire grace,  
 That such a leude man's wit shall pace  
 The wisdom of an heape of learned men?  
 Of masters had he no than thrice ten,  
 That were of Law expert and curious,  
 Of which there was a dozen in that house,  
 Worthy to been stewards of rent and land  
 Of any lord that is in England.  
 To maken him live by his proper good  
 In honour debtless, but if he were wood;  
 Or live as scarcely as him list desire,  
 And able to helpen all a shire,  
 In any case that might have fallen or hap  
 And yet the manciple sett all her capp.”

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\* See Chap. MIDDLE TEMPLE.



'The father of English poetry' was himself a student of law in the Temple. Dugdale, in his 'Origines Juridicales,' Bishop Tanner, in his 'Bibliotheca,' the 'Biographia Britannica,' and Morrell, in his 'Life of Chaucer,' all agree in opinion that Chaucer was a member of one of the Temples. Speght, an author who wrote in the reign of Queen Elizabeth, expressly affirms that Chaucer was of the Inner Temple, and that one master Buckley, of that learned society, had some time previously seen a record in that house, where Geoffrey Chaucer was fined two shillings "for beating a Franciscan friar in Fleet Street;" and Leland informs us that "forum Londinense et collegia leguleiorum, qui ibidem patria jura interpretantur, frequentavit." The description of 'the man of law,' and of 'the manciple of the Temple,' in the prologue to the 'Canterbury Tales,' as well as the knowledge of law exhibited in Chaucer's writings, tend to confirm the statements of those writers. He appears to have become acquainted with John Gower, the poet, during his sojourn in the Temple, who, it is said by good authorities, was also a student of the law here. Gower thus alludes to his friend in one of his poems:—

" And grete well Chaucer, when ye mete,  
As my disciple and my poete;  
For in the flowres of his youth,  
In sundry wise, as he well couth,  
Of ditees and of songes glade  
The which he for my sake made, &c."

Leland, speaking of Gower, says, "*Coluit forum et*

*patrias leges lucri causa; præter cætera tamen humaniores litteras: multum in poesi sudavit."*

In the reign of Richard II., the Temple was plundered by the rebels under Wat Tyler, when several valuable records were destroyed:—"After breaking into the Fleet Prison," says Stow, in his 'Chronicles,' "they destroyed and burnt many houses, and defaced the beauty of Fleet Streete. From thence they went to the Temple to destroy it, and plucked down the houses, tooke off the tyles of the other buildings left; went to the church, tooke out all the bookes and remembrances that were in the hatches of the prentices of the law, carried them into the high street, and there burnt them. This house they spoyled for wrathe they bare to the prior of St. John's, unto whom it belonged; and, after a number of them had sacked this Temple, what with labour and what with wine being overcome, they lay down under the walls and housing, and were slain like swyne; one of them killing another for old grudge and hatred, and others also made quick dispatch of them. A number of them that burnt the Temple went from thence to the Savoy, destroying in their way all the houses that belonged to the Hospital of St. John."

Walsingham,\* in his 'History of the Reign of Richard II.,' gives the following narrative of these events:—

"Quibus perpetratis satis maliciose etiam locum qui vocatur Temple Barre, in quo Apprenticii juris mora-

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\* Hist. Angl. 249.

bantur nobiliores, diruerunt ob iram quem conceperant contra Robertum de Hales, magistrum hospitalis sancti Johannis, de quo præfati sumus, ubi plura munimenta quæ juridici in custodia habuerunt igne consumpta. Et amplius insanientes illam domum nobilem hospitalis sancti Johannis de Clerkenwell immisso igne ardere fecerunt per continuos septem dies."

There is a curious account of the plundering of the Temple in an old Norman French record, cited in 'Hearne's Curious Discourses,' from a manuscript book of St. Mary's Abbey, York:—

" Les Rebells alleront a le Temple, et jetterons les measons a le terre et avegheront Tighles, issient que ils fairont couverture en mal array, et alleront en l'eglise, et pristeront tous les liveres et rolles de remembrances, que fueront en lour Hutches or Cottuges deins le Temple de apprentices de la ley et porteront in le haut chimene, et les arderont."

The Inns of Court appear likewise to have felt the fury of the populace, during the insurrection under Jack Cade, A.D. 1450. Shakspeare, in the second part of Henry VI., represents one of the rabble shouting, 'to kill all the lawyers,' and Cade issuing his orders:—

" Now go some and pull down the Savoy; others to the Inns of Court; down with them all!"

The two societies of the Temple continued as tenants to the knights hospitalers of St. John till the dissolution of that order, in 30 Hen. VIII. The societies of the Inner and the Middle Temples then became tenants of the crown, holding their premises by leave till the sixth year of King James I. A Scotsman having

applied to James to make him a grant of the Temple, the two societies addressed an urgent prayer to his majesty, not to accede to the request. King James, by letters patent,\* dated at Westminster, 13th of August, made a grant thereof, by the name of *hospicia et capitalia messuagia cognita per nomen de le Inner Temple, et le Middle Temple, sive novi Templi, London, unto Sir Julius Cæsar, knight, then Chancellor and under Treasurer of the Exchequer; Sir Henry Montague, knight, then Recorder of the City of London; William Towse and Richard Daston, esquires, then Treasurers of the said Inns of Court; Sir John Boyse, knight; Andrew Grey, Thomas Farmer, Raphe Radcliffe, and divers others, esquires, and then benchers of these houses, to have and to hold the same mansions, with the gardens and appurtenances, to the said Sir Julius Cæsar, Sir Henry Montague, and the rest above mentioned, their heirs and assignees for ever, for lodgings, reception, and education of the professors and students of the laws of this realm: yielding and paying to the said king, his heirs and successors, at the receipt of his exchequer, viz., for the mansion, called the Inner Temple, the sum of ten pounds yearly; and for the Middle Temple, ten pounds yearly also, at the feasts of St. Michael the archangel, and the Annunciation of our Lady, by equal portions."*

Leigh, who usually gets the credit of having suggested the Pegasus as the arms of the Inner Temple,

\* Rolls Chapel, Pat. 6 Jac. p. 28 n. 9.

† Dug. Orig.

gives the following account\* of the flying horse:—  
“ He beareth azure a Pegasus argent, called the horse of honour, whose condition Sorares the XXIII. Emperor of Assiria honoured so much for his swift course, as he judged him not framed of the grosse masse of common horses. And therefore S. Gefferie Chaucer built unto him (after his owne nature and condition a house called *Fame*, a place meete for the horse of honour), whose originall the poetes faine was when valiant Perseus, the souldior of the goddes Pallas, in dangerous fight atchiued by helpe of her glittering shielde the battaile against Medusa, the King of Phorcus, who, wen he had severed the head of this ougelie monster, straight gusht out the streames of bloud in such abundance as thereof grew the flying horse, to show forth the fame of so happy a conquest: who, taking flight towards the heavens (where hee is now fixed), strake with his feete the highest toppe of Mount Helicon, from whence immediately rose the fountaine (Hypocrene), wherein the muses take their delight and bathe, which fountaine sithence in all ages hath sufficiently watered the growing plantes of the pleasant countries adjoining. And lately so with cleare streames hath abounded as exceeding the old limits burst forth the bankes, reaching themselves to countries farther distant, moystening the soyles thereof.” Leigh then describes how those streams had “pleasantlie washt ouer the olde forworne temples,” and proceeds to describe the

\*‘Accidence of Armorie.’

Inner Temple revels in the fourth year of Elizabeth, of which we have already spoken. He gives the following graphic description of this house in the reign of Elizabeth:—"a place privileged by the most excellent princess the high governor of the whole island, wherein are store of gentlemen of the whole nation, that repair thither to learn to rule and obey by law, to yield their fleece to their prince and common-weal; as also to use all other exercises of body and mind whereunto nature most aptly serveth to adorn, by speaking, countenance, gesture, and use of apparel, the person of a gentleman; whereby amity is obtained and continued, that gentlemen of all countries, in their young years, nourished together in one place, with such comely order, and daily conference, are knit by continual acquaintance in such unity of mindes, and manners, as lightly never after is severed, than which is nothing more profitable to the common-weal."

SERJEANTS' FEAST IN THE INNER TEMPLE.

On the 16th Oct., A. D. 1552, 2 & 3 Ph. & M., J. Prideaux, of the Inner Temple; Francis Morgan, Robert Catlyn, and Anthony Browne, of the Middle Temple; William Rastall, and William Benlowes, of Lincoln's Inn, and John Walpole, of Gray's Inn, who had in that year been called to the state and degree of serjeant-at-law, kept their feast in the Inner Temple Hall, an account of which will afford an example of the profusion and magnificence ob-

served on such occasions in former times. All the servants of the four Inns of Court, and the porters of the courts at Westminster, &c., &c., were allowed cloth for liveries, and rings of gold were given to the following persons:—

To the Lord Chancellor of England a ring of      **xxs.**

|  |                        |             |
|--|------------------------|-------------|
| The Lord High Steward .                              | } to each a<br>ring of | <b>xxs.</b> |
| The Lord Treasurer of England .                      |                        |             |
| The Lord Privy Seal .                                |                        |             |
| The Lord Chamberlain of Eng-<br>land . . . . .       |                        |             |
| The Chief Justice of the King's<br>Bench, . . . . .  |                        |             |
| The Chief Justice of the Com-<br>mon Pleas . . . . . |                        |             |
| The Lord Chief Baron of the Ex-<br>chequer . . . . . |                        |             |

|   |                 |
|---|-----------------|
| To every the Justices of both Benches, in<br>number six, a ring, each weighing <b>xvis.</b> in<br>toto, . . . . . | <b>£. s. d.</b> |
|   | <b>4 16 0</b>   |

To the Master of the Rolls a ring of the like  
value.

|  |               |
|--|---------------|
| To three Barons of the Exchequer each a ring<br>of . . . . . | <b>0 14 0</b> |
|--|---------------|

|   |              |
|---|--------------|
| To four of the ancientest Serjeants each a ring<br>of . . . . . | <b>0 6 8</b> |
|---|--------------|

|  |              |
|--|--------------|
| To the King's Attorney-General a ring of . | <b>0 6 8</b> |
|--|--------------|

|   |              |
|---|--------------|
| To the King's Solicitor-General a ring of . | <b>0 6 8</b> |
|---|--------------|

|   |              |
|---|--------------|
| To the Clerk of the Council a ring of . | <b>0 4 0</b> |
|---|--------------|

|  |              |
|--|--------------|
| To the two Clerks of the Crown a ring each . | <b>0 4 8</b> |
|--|--------------|

|  |              |
|--|--------------|
| To the Custos Brevium of the Common Pleas<br>a ring of . . . . . | <b>0 4 0</b> |
|--|--------------|

|  |              |
|--|--------------|
| To the Clerk of the Warrants there, the like . | <b>0 4 0</b> |
|--|--------------|

|  |              |
|--|--------------|
| To the Chirographer, and the three Prothono-<br>taries there, each of them a ring of . | <b>0 5 0</b> |
|--|--------------|

|  |    |     |     |
|--|----|-----|-----|
| To the xvi Filizers and Exigenters of the    | £. | s.  | d.  |
| Common Pleas, each of them a ring of         | .  | 0   | 2 6 |
| Every Serjeant's charge in ordinary rings    | .  | 20  | 4 0 |
| All the Serjeants' charges in ordinary rings | .  | 141 | 8 0 |

Beside the foregoing, each serjeant gave the following rings; the rings to the king and queen being of the finest angel gold:—

|  |    |    |      |
|--|----|----|------|
|  | £. | s. | d.   |
| To the King a ring, in value   | .  | 3  | 6 8  |
| To the Queen the like  | .  | 3  | 6 8  |
| To the Warden of the Fleet a ring of   | .  | 0  | 11 0 |
| To the Master Marshall the like  | .  | 0  | 11 0 |
| To the Steward of the Feast (Mr. John Cooke of the Inner Temple) a ring in value   | .  | 0  | 20 0 |
| To the Comptroller of the Feast (Mr. Guy Wade of the Inner Temple) a ring in value | .  | 0  | 20 0 |

Beside the steward and comptroller of the feast just mentioned, two gentlemen of the Inner Temple were appointed as inferior stewards, to attend the table where the Lords dined, two were appointed as carvers, and two other gentlemen of this house as cup-bearers. Two sewers were also appointed to attend the body of the Hall.

The newly-elected serjeants breakfasted in the morning in the hall in their robes and coifs, and were attended to the gate of the Inner Temple by the steward and comptroller, who carried white staves.

The serjeants, having returned from Westminster Hall to the Inner Temple, and the judges and great men being assembled to participate of the feast, the steward and comptroller went before the first course to the Lords' table, which being performed and the



Lords placed, they kept order in the hall till dinner ended.

There came from every Inn of Court eight of the chiefest gentlemen students there to be servitors in the hall during the feast. Also was allowed to every serjeant from the Inn of Court whereof he was a fellow, three gentlemen of his choosing; the one to attend him at the table for sewer, another for carver, and the third for his cup-bearer.

The Lords of the Council and the Peers, the Lord Mayor and Aldermen of London, the Judges, the old serjeants, the King's Attorney and Solicitor-General, the Chancellor of the Exchequer, the King's Attorney of the wards and duchy, Sir Edward Montague, and Sir Roger Cholmley, were all of them invited to the feast by the steward and comptroller, whose office it was to invite persons of state.

Also the newly-elected serjeants sat all dinner-time on the bench-side, and had their table on the worthier side of the hall.

The Lords of the Council were first served in the hall. The Lord Mayor and Aldermen next to the Lords, whose table was on the other side of the hall, with one full mess of meat. Then the two Chief Justices were served with one full mess, who sat at a middle table; and the end of which table was equal with the upper end of the Lord Mayor's table, and the upper end of the new serjeants' table. Then was the ancientest serjeants served with one mess. Then the Aldermen of London. Then the residue of the

Judges. Then the serjeants newly elected, in their degree of ancienty; and lastly, other tables furnished with guests of inferior quality. The before-mentioned tables being fully served, there was a great plenty carried from the dresser to feast the guests, that dined in private chambers appointed for the new-elected serjeants. Dugdale devotes three and a half folio pages to a detail of the meats and viands at this banquet. A description of the provisions for one table will suffice here:—

|   |    |    |      |
|---|----|----|------|
| A standing dish of wax representing the Court | £. | s. | d.   |
| of Common Pleas, the charge whereof was       | .  | 4  | 0 0  |
| A shield of brawn for either mess.            |    |    |      |
| Boiled capons in white broth, two at a mess,  | .  | 0  | 5 0  |
| Swans roasted two, each mess one,             | .  | 1  | 0 0  |
| Bustards, two for each mess one,              | .  | 1  | 0 0  |
| Chewet pies, to each mess four.               |    |    |      |
| Pikes, four to each mess,                     | .  | 0  | 10 0 |
| Capons roasted four, to each mess two,        | .  | 0  | 10 0 |
| Venison baked four large pasties.             |    |    |      |
| Hern and bittern, each mess two,              | .  | 0  | 16 0 |
| Pheasants roasted, two to each mess,          | .  | 0  | 16 0 |
| Custards.                                     |    |    |      |

*Second Course.*

|  |   |   |      |
|--|---|---|------|
| A standing dish of wax, to each mess one,      | . | 4 | 0 0  |
| Jelleys planted two dozen.                     |   |   |      |
| Cranes two,                                    | . | 1 | 0 0  |
| Partridges twelve,                             | . | 0 | 16 0 |
| Red deer four pasties,                         | . | 0 | 16 0 |
| Certain large joules of sturgeon to each mess. |   |   |      |
| Woodcock and Plovers, twelve each mess,        | . | 0 | 6 8  |
| Quince pies eight,                             | . | 0 | 4 0  |
| Rabbit suckers twelve.                         |   |   |      |

Q

|                                  | £. | s. | d. |
|----------------------------------|----|----|----|
| Snipes roasted twelve, . . . . . | 0  | 3  | 4  |
| Larks three dozen, . . . . .     | 0  | 2  | 0  |
| March panes two, . . . . .       | 0  | 6  | 8  |

After the feast and the tables were voided the said officers went before the newly-elected serjeants from the Temple Hall, attending upon them thence with white staves, bare-headed, through Fleet-Street, with many others accompanying them, unto St. Thomas of Acres, in London, and thence to the Cathedral of St. Paul; and after some accustomed ceremonies performed in both places, they returned unto Serjeants' Inn, in Fleet Street, where they received the thanks of the said serjeants, and either of them a ring of gold, and so with congees and reverence on both parts departed and were dismissed.

The festivities of Christmas were observed in the Inner Temple with great ceremony and magnificence. On Christmas-day, after service in the Church, the gentlemen presently repaired into the hall 'to breakfast, with brawn, mustard and malmsey.' At the first course at dinner, was served 'a fair and large boar's-head, upon a silver platter, with mistralsye.' At supper, two gentlemen in gowns were to bear 'two fair torches of wax,' next before the musicians and stand above the fire with the music till the first course were served through the hall. Dugdale's account of the ceremonies on St. Stephen's days, must not be omitted:—

“ This day the sewer, carver, and cup-bearer are to serve

as afore. After the first course served in, the constable-marshall cometh into the hall, arrayed with a fair, rich, compleat harneys, white and bright, and gilt, with a nest of fethers of all colours upon his crest or helm, and a gilt pole-axe in his hand; to whom is associate the lieutenant of the Tower, armed with a fair white armour, a nest of fethers in his helm, and a like pole-axe in his hand, and with them sixteen trumpeters; four drums and fifes going in rank before them, and with them attendeth four men in white harneys, from the middle upwards, and halberds in their hands, bearing on their shoulders the Tower; which persons, with the drums, trumpets, and music, go three times about the fire. Then the constable-marshall, after two or three curtesies made, kneeleth down before the lord chancellor; behind him the lieutenant, and they kneeling, the constable-marshall pronounceth an oration of a quarter of an hour's length, thereby declaring the purpose of his coming, and that his purpose is to be admitted into his lordship's service.

"The lord chancellor saith he will take further advice therein.

"Then the constable-marshall, standing up in submissive manner, delivereth his naked sword to the steward, who giveth it to the lord chancellor; and thereupon the lord chancellor willet the marshall to place the constable-marshall in his seat; and so he doth, with the lieutenant also in his seat or place. During this ceremony the Tower is placed beneath the fire.

"Then cometh in the master of the game, apparelled in green velvet; and the ranger of the forest, also in a green suit of satten, bearing in his hand a green bow and divers arrows, with either of them a hunting-horn about their necks: blowing together three blasts of venery, they pace round about the fire three times. Then the master of the game maketh three curtesies as aforesaid, and kneeleth down before the Lord Chancellour, declaring the cause of

his coming, and desireth to be admitted into his service, &c. All this time the ranger of the forest standeth directly behind him; then the master of the game standeth up.

“ This ceremony also performed, a huntsman cometh into the hall with a fox and a purse-net, with a cat, both bound at the end of a staff, and with them nine or ten couple of hounds, with the blowing of hunting-hornes, and the fox and cat are by the hounds set upon and killed beneath the fire. This sport finished, the marshall placeth them in their several appointed places.

“ Then proceedeth the second course; which done, and served out, the common serjeant delivereth a plausible speech to the Lord Chancellour and his company at the highest table, how necessary a thing it is to have officers at this present, the constable-marshall and master of the game, for the better honour and reputation of the commonwealth, and wisheth them to be received, &c.

“ Then the King's Serjeant-at-Law declareth and inferreth the necessity; which heard, the Lord Chancellor desireth respite of further advice. Then the antientest of the Masters of the Revels singeth a song, with assistance of others there present.

“ At supper the hall is to be served in all solempnity as upon Christmas-day, both the first and second course to the highest table. Supper ended the constable-marshall presenteth himself, with drums afore him, mounted upon a scaffold, born by four men; and goeth three times round about the harthe, crying out aloud *a lord! a lord!* &c.; then he descendeth, and goeth to dance, &c., and after he calleth his court, every one by name, one by one in this manner.

“ Sir Francis Flatterer, of Fowleshurst, in the county of Buckingham.—Sir Randle Rackabite, of Rascall Hall, in the county of Rakehell.—Sir Morgan Mumchance, of Much Monkery, in the county of Mad Mopery.—Sir

Bartholomew Baldbreech, of Buttocksbury, in the county of Brekenek.

“ This done the Lord of Misrule addresseth himself to the banquet, which endeth with some minstrelsy, mirth, and dancing, every man departeth to rest.”

The last of the Revels in the Inns of Court took place in the Inner Temple Hall, on the 2nd of Feby., 1733. On the occasion of Mr. Talbot's elevation to the woolsack. “ The Lord Chancellor (Talbot) came into the Inner Temple Hall, about two of the clock, preceded by the Master of the Revels, Mr. Wollaston, and followed by the Master of the Temple, Dr. Sherlock, then Bishop of Bangor, and by the judges and serjeants who had been members of the house. There was a very elegant dinner provided for them and the Lord Chancellor's officers; but the barrister, and students of the house had no other dinner got for them than what was usual on all *grand days*, but each mess had a flask of claret beside the common allowance of port and sack. Fourteen students waited at the bench-table, among whom was Mr. Talbot, the Lord Chancellor's eldest son; and by their means, any sort of provision was easily obtained from the upper-table by those at the rest. A large gallery was built over the skreen, and was filled with ladies, who came, for the most part, a considerable time before the dinner began, and the music was placed in the little gallery, at the upper end of the hall, and played all dinner-time. As soon as dinner was ended the play began, which was *Love for Love*, with the

farce of the *Devil to Pay*. The actors who performed in them, all came from the Haymarket, in chairs, ready dressed; and, as it was said, refused any gratuity for their trouble, looking upon the honour of distinguishing themselves on this occasion as sufficient. After play, the Lord Chancellor, Master of the Temple, judges and benchers, retired into their parliament-chamber; and in about an hour afterwards, came into the hall again, and a large ring was formed round the fire-place, but no fire nor embers were on it. Then the Master of the Revels, who went first, took the Lord Chancellor by the right hand, and he, with his left took Mr. J. Page, who, joined to the other judges, serjeants, and benchers present, *danced, or rather walked round about the coal fire, according to the old ceremony, three times*; during which, they were aided in the figure of the dance by Mr. George Cooke, the prothonotary, then 60, and all the time of the dance the *ancient song*, accompanied with music, was sung by one Toby Aston, dressed in a bar gown, whose father had been formerly master of the plea office, in the King's Bench. When this was over, the ladies came down from the gallery, went into the parliament-chamber, and stayed about a quarter of an hour, while the hall was putting in order; then they went into the hall and danced a few minuets. Country dances began about ten, and at twelve a very fine collation was provided for the whole company; from which they returned to dancing, which they continued as long as

they pleased; and the whole day's entertainment was generally thought to be very genteelly and liberally conducted. The Prince of Wales\* honoured the performance with his company, part of the time; he came into the music gallery incog, about the middle of the play, and went away as soon as the farce of walking round the coal-fire was over."

The Star-Chamber seems to have exerted its power to enforce religious tests in this house; but it would appear, from the following memorandum from the Burghley Papers, that its orders were evaded:—

" THE STATE OF THE CAWSE TOWCHINGE THE CAWLING  
OF BENCHERS IN THE INNER TEMPLE.

" Fyrst, yt is forbidden by lrēs sent to the Benchers of the howse by the Lords of the Quene's Ma<sup>v</sup> her privy cowncell in the Starre Chamber, uppon an order there taken, that no pson eyther convented or suspected for papistrye shulde be called eyther to the benche or to the barre.

In Michaelmas Terme last, the Benchers beinge to make choyce, there was a message delyvered to theim by M<sup>r</sup>. Kellewaye from the Lords of the Cowncell (as he sayed) to the same effecte as the lrēs were.

Whereuppon, in the said Terme of St<sup>i</sup>. Michell, they proceeded to eleccion, at w<sup>ch</sup> tyme there were chosen to be Benchers, by most voices, men never convented nor suspected for papistrye,

Robt<sup>e</sup> Buxton.

Jñon Bullocke.

Withm Wilcocke.

This choice was misliked of by some of the Benche, for that Nicholas Hare, Andrew Grey, George Wiott,

\* Frederick, father of King George the Third.



and Humphrey Smith, beinge awncient to some of the others, were kept backe. Whereuppon, for that Greye and Hare hadde bene convented for papistrie, and the rest vehemently suspected for papistrye, and suche personnes forbidden to be called. It was assented that yf they cowlde pcure lrēs from the Lords of the Queene, her Maiestyes privy councell, on theyre behalfe by a daye certeyn, appointed the same Terme, that then they showld be cawled w<sup>th</sup> the other, and in the meane tyme the other not to take their places, w<sup>ch</sup> lrēs they pcured not. Whereuppon the first call was confirmed agein by pliam<sup>t</sup> by most voices, but, notw<sup>th</sup>standinge, kept from their places.

In the beginninge of this Hillary Terme, M<sup>r</sup>. Gynes beinge dead in the vaca<sup>ti</sup>on tyme, and M<sup>r</sup>. Stapleton beinge sicke, the said Hare, Grey, Wiott, and Smith, are cawled contrarye to the said lrēs and message, Grey and Bullocke are cawled uppe to their places, but the rest, aswel of the first call as of the second, have not as yet taken their places.”<sup>a</sup>

I find the names of the benchers and barristers of the Inner Temple, in the reign of Queen Elizabeth, in the same manuscript collection :—

THE BENCHERS OF TH’ INNER TEMPLE.<sup>b</sup>

|                         |                           |                         |
|-------------------------|---------------------------|-------------------------|
| Stapleton. <sup>c</sup> | Bromeley, T. <sup>e</sup> | Gandye, F. <sup>g</sup> |
| Kellawaye. <sup>d</sup> | Bromeley, G. <sup>f</sup> | Poole. <sup>h</sup>     |

<sup>a</sup> MS<sup>b</sup> Lansd. 105, fol. 89.

<sup>b</sup> MS. Lansd. 106, fol. 85.

<sup>c</sup> Reader, 6 Edw. VI. ; Treasurer, 1 and 2 Ph. and M.

<sup>d</sup> Reader, 1 Edw. VI. ; Treasurer, 5 and 6 Ph. and M.

<sup>e</sup> Recorder of London and Reader, 8 Eliz ; Solicitor

General and Treasurer, 16 Eliz.

<sup>f</sup> Double Reader, 11 Eliz. ; Treasurer, 10 Eliz.

<sup>g</sup> Quere *Gawdy*. Reader, 8 Eliz. ; afterwards Justice of the King’s Bench.

<sup>h</sup> Double Reader, 4 Eliz.

|                         |                            |                      |
|-------------------------|----------------------------|----------------------|
| Gell. <sup>a</sup>      | Hurleston. <sup>i</sup>    | Smythe, Ja.          |
| Lone. <sup>b</sup>      | Pagreve. <sup>k</sup>      | Rivett. <sup>q</sup> |
| Wythe. <sup>c</sup>     | Walter. <sup>l</sup>       | Gurdon.              |
| Anderson. <sup>d</sup>  | Graye, Añ. <sup>m</sup>    | Bashe.               |
| Marryot. <sup>e</sup>   | Bullocke. <sup>n</sup>     | Baker, Ric.          |
| Floredewe. <sup>f</sup> | Smythe, Humf. <sup>o</sup> | Fullor. <sup>r</sup> |
| Risden. <sup>g</sup>    | Chidley. <sup>p</sup>      | Seyborne.            |
| Halton. <sup>h</sup>    |                            |                      |

THE UTTER-BARRESTERS OF TH' INNER TEMPLE.<sup>s</sup>

|                       |               |                          |
|-----------------------|---------------|--------------------------|
| Whithed.              | Babb.         | Parkins. <sup>u</sup>    |
| Hare, N. <sup>t</sup> | Frenche.      | Doteman.                 |
| Bedele, Ro.           | Browne, Ra.   | Goodere.                 |
| Asshebie, F.          | Massye.       | Bassett.                 |
| Buxston.              | Waringe.      | Waterhowse. <sup>x</sup> |
| Wyett, G.             | Bradden.      | Cooke, W.                |
| Sanckye.              | Goldinge, R.  | Smaleman.                |
| Lottysham.            | Stoughten, F. | Hilleard.                |
| Gale.                 | Repington.    | Hughes.                  |
| Ivey.                 | Pigott, Val.  | Boneville.               |

- <sup>a</sup> Reader, 5 Eliz.
- <sup>b</sup> Treasurer, 14 Eliz.
- <sup>c</sup> Treasurer, 19 Eliz.
- <sup>d</sup> Reader, 9 Eliz. ; Chief Justice C.P. 2d May, 24 Eliz.
- <sup>e</sup> Treasurer, 20 Eliz.
- <sup>f</sup> Reader, 11 Eliz. ; Treasurer, 21 Eliz. ; afterwards Baron of the Exchequer.
- <sup>g</sup> Reader, 13 Eliz. ; Treasurer, 22 Eliz.
- <sup>h</sup> Reader, 15 Eliz.
- <sup>i</sup> Reader, 15 Eliz.
- <sup>k</sup> Reader, 24 Eliz.
- <sup>l</sup> Treasurer, 24 Eliz., [father

of John Walter, Chief Baron of the Exchequer, 5 Car. I.]

- <sup>m</sup> Treasurer, 28 Eliz.
- <sup>n</sup> Treasurer, 29 Eliz.
- <sup>o</sup> Double Reader, 29 Eliz.
- <sup>p</sup> *Robertus*, 6 Eliz.
- <sup>q</sup> Reader, 5 Eliz.
- <sup>r</sup> Reader, 3 and 4 Ph. and M.
- <sup>s</sup> MS. Lansd. 106, fol. 85.
- <sup>t</sup> Treasurer, 28 Eliz., afterwards Master of the Rolls.
- <sup>u</sup> The well known author of the 'Profitable Book.'
- <sup>x</sup> The author of 'Fortescutus Illustratus.'

Nuthall.  
Morgan.

Beaumont, F.<sup>a</sup>  
Beaumont, H.<sup>b</sup>

Cowper, Jo.  
Hollenshed.<sup>c</sup>

# BANQUET IN THE INNER TEMPLE TO KING CHARLES II.

On the 15th of August, 1661, his majesty King Charles II., accompanied by his brother the Duke of York, afterwards King James II., was entertained at a splendid banquet given in the Inner Temple Hall, by Sir Heneage Finch, Bart., then Solicitor-General, and afterwards Earl of Nottingham, and Lord Chancellor of England,<sup>d</sup> who was the reader in the Inner Temple that year; "To the honour of whom, and of the whole society," says Dugdale, "the king came in his barge from White Hall, accompanied by the Duke of York, and attended by the Lord Chancellor, Lord Treasurer, Lord Privy Seal; the Dukes of Buckingham, Richmond, and Ormond, Lord Chamberlain; the Earls of Ossory, Bristol, Berks, Portland, Strafford, Anglesey, Essex, Bath, and Carlisle: the Lords Wentworth, Cornbury, De la Warre, Gerard of Brandon, Berkeley of Stratton and Cornwallis; the comptroller and vice-chamberlain of the household, Sir Wm. Morrice,

<sup>a</sup> Father of the poet. Reader, 23 Eliz. after Justice C.P.

<sup>b</sup> Reader; died 9th Aug. 27 Eliz.

<sup>c</sup> This was *not* Raphael Holinshed, the historian, as I have ascertained by reference to the *Register* Inner Temple.

<sup>d</sup> Finch distinguished him-

self in the prosecution of the Regicides. In 1661, he sat in Parliament for the University of Oxford, and took a prominent part in the impeachment of Lord Clarendon. In 1670, he was Attorney-General; in 1673, Lord Keeper; and in 1675, Lord Chancellor. He died in 1682.

Secretary-of-State, Earl of Middleton, Lord Commissioner of Scotland, the Earl of Glencarne, Lord Chancellor of Scotland, the Earls of Lauderdale and Newburgh, and other commissioners of that kingdom, with the Earl of Kildare and other commissioners of Ireland."

At the Temple stairs, where the king landed, his majesty was received by Sir Heneage Finch, and the Lord Chief Justice of the Common Pleas, in his scarlet robe and collar of s.s.

A passage was made for the royal party through the wall into the Temple Garden, and on each side as his majesty passed stood the readers' servants in scarlet cloaks and white tabba doublets; and above them, on each side, the benchers, barristers, and other gentlemen of the society, all in their gowns and formalities, the 'loud music' playing from the time of the King's landing till he entered the hall, where he was received with 'twenty violins,' which continued as long as his majesty stayed.

Dinner was brought up by fifty select gentlemen of the society in their gowns who gave their attendance all dinner while none other appearing in the hall but themselves; the King and the Duke of York sitting under a canopy of state and a table set at the upper end of the hall advanced three steps above the rest; the Lord Chancellor, with the rest of the noblemen, sitting at a long table on the right hand side of the hall, and the reader with those of the society on the other side.

In the Michaelmas Term following, November 3rd, his Royal Highness the Duke of York, the Duke of Buckingham, the Earl of Dorset, and Sir William Morrice, Knt., were admitted as members of the Inner Temple, and the Duke of York was then called to the degree of barrister, and was created a bencher; and on the 4th of November, his Royal Highness Prince Rupert, the Earl of Cleveland, Lord Percy, Lord Berkley, with Henry and Bernard Howard, of Norfolk, were admitted of this society.

In 1668-9, the Lord Mayor of London, who had been invited to the readers' feast in the Inner Temple, narrowly escaped being roughly handled by the students. Pepys says, in his 'Diary,'\* "My Lord Mayor being invited this day to dinner at the Reader's at the Temple, and endeavouring to carry his sword up, the students did pull it down and forced him to go and stay all the day in a private counsellor's chambers until the reader himself could get the young gentleman to dinner; and then my Lord Mayor did retreat out of the Temple by stealth with his sword up. This do make great heat among the students; and my Lord Mayor did send to the King, and also I hear that Sir Richard Browne did cause the drums to beat for the train bands; but all is over, only I hear that the students do resolve to try the charter of the city."

The Lord Mayor (Sir William Turner) complained to the King, and on the 7th of April, 1669, the case was heard before his majesty in council. The ring-

\* March 3rd, 1668-9.

leaders Mr. Hodges, Mr. Wyn, and Mr. Monday, of the Inner Temple, were cited before the council, and appeared at the board attended by their counsel, who were heard on their behalf. Upon consideration it appearing to the King that the matter very much depended upon the right and privilege of bearing up the Lord Mayor's sword within the Temple, which by order of council on the 24th of March in the same year had been left to be decided by due course of law at Westminster Hall, his majesty thought fit to suspend the declaration of his pleasure thereupon until the said right and privilege should be determined at law.

The great and famous English lawyer, Littleton, whose high reputation has not been affected by the lapse of four centuries, to whose treatise of 'Tenures' it has been truly remarked the students of common law are no less indebted than the civilians to the Institutes of Justinian, was a member of this inn. A portrait of Sir Thomas Littleton said to have been copied from a painting of him in glass in Frankley church, Worcestershire, is preserved in the hall. As we have already seen, Littleton was one of the readers of this society, and read on the statute *West. 2, De donis conditionalibus*. He was called to the state and degree of serjeant-at-law on 31 Hen. VI. A. D. 1453, and was subsequently appointed steward of the Court of Marshalsea. On the 13th of May, 1455, in the 33 Henry VI. he was made king's serjeant, and rode the northern circuit as justice of assize. On the 26th of April,

1466, 6 Edward IV. he was appointed a justice of the Court of Common Pleas, and in the same year was honoured with the knighthood of the Bath. Littleton died on the 23rd of August, 1481, aged, it is conjectured, about 60, and his remains were buried in Worcester Cathedral.\*

Christopher Seintgerman, the author of the well-known dialogue on the laws of England, called 'Doctor and Student,' and many other works of less

\* Sir Edward Coke has fallen into rather a remarkable error as to the *date* of the first printed edition of the work, with which he has so inseparably connected his name. He says, "The first impression that I find of our author's book, was at Roan, in France, by William de Tailier, (for that is was written in French) *Ad instantiam Richardi Pinson*, at the instance of Richard Pinson, Printer of King Henry VIII., before the said book of *Natura Brevium*† was published, and therefore upon these, and other things that we have seen,‡ we are of opinion, that it was first printed about *the four-and-twentieth year of the reign of King Henry VIII.*" Now, there are copies of Littleton's 'Tenures,' extant in the Inner Temple Library, the British Museum, the public Library of Cambridge, and other collections, printed in *London*, by Lettou and Machlinia, who came into England with Caxton, and published works in their own name, in the reign of Edward IV., before Wynkyn de Worde established his press. As the partnership between those two printers was dissolved before the year 1483, this English edition must have been printed prior to that date. Middleton is of opinion that this edition was probably published, or put to press, by *the author himself*, who died A.D. 1481, in *the twentieth year of the reign of Edward IV.* Few of the very early-printed books were distinguished with dates.

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† By Anthony Fitzherbert.

‡ Vide Proœm. 1 Inst.

note, was a member of the Inner Temple. He was the son of Sir Henry Seintgerman, by Anne, the daughter of Thomas Tindale, Esq., and was born at Shilton, in Warwickshire, at what precise date is uncertain. He studied at the University of Oxford, from whence he removed to the Inner Temple, by which society he was called to the bar. Here, says Wood,\* "he became a barrister and counsellor of note, being then eminent not only in the common, but the civil law, by which afterwards he acquired immortal fame among the citizens of London." Seintgerman appears to be a man of irreproachable life, and was a diligent reader of the Sacred Scriptures, a chapter of which he was accustomed every day to expound to his domestics. He died in the year 1540, and was buried in the church of St. Alpage within, Cripplegate.

John Parkins, who flourished about this period, was also a member of this society. He was a lawyer of considerable reputation, and composed the celebrated 'Profitable Book,' a work held in high estimation by all our elder conveyancers, and still referred to as an authority respecting real property. He studied at Oxford, where he made great proficiency in grammar and logic; and, having afterwards applied himself to the common law, was called by the bar in the Inner Temple. He died about the year 1544.

Sir John Ferne, the author of a curious old book on Heraldry, the 'Blazon of Gentry, the Glory of Gene-

\* Ath. Oxon., vol. i. 121.



rosity, and the Lacyes Nobility,' was a member of the Inner Temple, being admitted A. D. 1576,\* and dedicated his work to the honorable assemblies of the Innes of Court, which he describes as "the four nursing sisters to the common walth." He was one of the advocates for excluding from the Inns of Court all who were not 'a gentleman of blood,' according to the ancient rule mentioned by For-tescue, which seems to have been disregarded in Elizabeth's time. "It was not for nought that our ancient governors in this land did, with a special foresight and wisdom, provide that none should be admitted into the Houses of Court, being seminaries sending forth men apt to the government of justice, except he were a gentleman of blood. And, that this may seem a truth, I myself have seen a Kalendar of all those which were together in societie of one of the same houses, about the last year of King Henry V., with the arms of their house and family marshalled by their name, and I assure you the self-same monument doth approve them all to be gentlemen of perfect descents; whereas now, pity to see the same places, through the malignity of times, and the negligence of those which should have had care to the same, been altered quite from their first institution."†

Sir Christopher Hatton, Lord Chancellor of England, the accomplished rival of Leicester in the affections of Queen Elizabeth, was a student in the

\* *Ex Regist.*, Inner Temple.

† 'Glory of Generosity,' p. 24, Lond. 1586.

Inner Temple. He was born at Holdenby, in Northamptonshire, in the year 1540. When about fifteen or sixteen years of age, he entered, as a gentleman commoner, at St. Mary's Hall, Oxford; and was admitted in the Inner Temple on the 26th of May, 1560. The year of his call to the bar is uncertain, as no book is preserved in the Inner Temple in which calls are registered prior to 1567; but he never was a reader or benchers.\* In the year after his admission, we find him 'Master of the Game,' in the celebrated Christmas revels, in which Leicester (then Lord Dudley), was constable and marshal, referred to in a preceding chapter. Hatton appears to have attracted the notice of the queen, and to have received the appointment of gentleman pensioner, somewhere about June, 1564; and, according to the popular account, which appears to be substantially correct, Hatton "came to court by the galliard, for he came thither as a gentleman of the Inns of Court, in a masque, and for his activity and person, which was tall and proportionable, taken into favour with the queen." In 1568, Hatton was one of the gentlemen of the Inner Temple, who composed a tragedy, called *Tancred and Gismund*, which was acted before Queen Elizabeth; the fourth act being from his pen. In the edition of this play, in the Garrick collection,† the names of the contributors are thus subscribed:—Hen. No.

\* See the 'Life and Times of Hatton,' by Sir Harris Nicolas, Barrister, of the Inner Temple.

† Mus. Brit.

(Henry Noel), Ch. Hat. (Christopher Hatton), R. W. (Robert Wilmot), G. All., and Rod. Staff.—

“ His bushy beard and shoe-strings green,  
His high-crowned hat and satin doublet,  
Moov'd the stout heart of England's Queen,  
Though Pope and Spaniard could not trouble it.”

Elizabeth's partiality for the handsome young Templar at length raised him to the woolsack; and, though he had no pretensions to legal learning, we are assured that his decisions were generally just and impartial, and that his behaviour was modest and sensible. He was chosen by the University of Oxford as their chancellor, and he seems to have been noted for “his singular bounty to students of learning.” Sir Christopher Hatton died at his house, at Ely Place, Holborn, 20 Nov., 1591, and was buried with great state in St. Paul's Cathedral.

Thomas Sackville, Lord Buckhurst, and the Earl of Dorset, the author of the masque, *Ferrex and Porrex*, already noticed, and successor to Lord Burghley as Lord High Treasurer,—an office which he held till his death, which happened on the 19th of April, 1608,—was a member of this society, having been admitted A. D. 1587.\* He was interred in Westminster Abbey. He was the founder of the noble family of the Dorsets, being, as Walpole expresses it, “the patriarch of a race of genius and wit.” Sackville was the author of the ‘*Mirroir of Magistrates*,’ a poem which discovers considerable powers of versification and origi-

\* *Ex Regist.* Inner Temple.

nality of thought. Spenser inscribes a sonnet to him, describing him as one—

“ Whose learned muse hath writ her own record  
In golden verse, worthy immortal fame.”

Francis Beaumont, the poet, was the son of a barrister of the Inner Temple, who, after filling the office of reader of this house, was constituted a Justice of the Court of Common Pleas. The younger Beaumont was admitted a gentleman commoner of Broadgate Hall (now Pembroke College), Oxford, when he was ten years old, and afterwards became a student in the Inner Temple. He died A.D. 1615, before he was thirty years of age, and was buried in the entrance of St. Benedict's chapel, Westminster Abbey:—

“ Keep well this pawn, thou marble chest;  
’Till it be call’d for let it rest;  
For while this jewel here is set,  
The grave is like a cabinet.”

Sir Edmund Anderson, a younger son of a Scottish family settled in Lincolnshire, after studying at Lincoln College, Oxford, applied himself to the study of the law in the Inner Temple. In 9 Eliz. he was reader of this house, and in 16 Eliz. double reader. In 19 Eliz. he was called to the degree of serjeant-at-law, and in 21 Eliz. was constituted queen's serjeant. In 1582 he was made Lord Chief Justice of the Common Pleas; and in the following year received the honour of knighthood. Anderson held this office till he died in the year 1605. He was accounted a scourge by the Puritans, who often felt his rigour.

It is recorded of him that when Secretary Davison was sentenced in the Star Chamber for his conduct touching the death of Mary Queen of Scots, Lord Chief Justice Anderson said, "that therein he had done *justum non juste*, and so acquitting of all malice, censured him for his indiscretion." Anderson was the author of 'Reports' and 'Judgements.'

Sir George Crook, the author of the well known *Reports*,—

" From which the sages who expound  
Law's truths and mysteries profound,  
Are forced to cite opinions wise,  
Crok. Car. Crok. Jack. and Crok. Eliz.,"

was called to the bar by this society. He was autumn reader of the Inner Temple 41 Eliz. and double reader 15 Jac. Six years afterwards he was called to the degree of serjeant-at-law, and advanced to the dignity of king's serjeant. In the fourth year of the reign of King Charles I. he was constituted a Justice of the King's Bench. Sir George Crook, both publicly in Westminster Hall, and privately when his opinion was required by the king, condemned ship money as illegal. "The countryman's wit will not be soon forgotten," says Fuller, "that ship *money may be gotten by Hook but not by Crook.*" This upright judge died in Oxfordshire A. D. 1641, in the eighty-second year of his age.

The Inner Temple claims the distinguished honour of reckoning among its students Sir Edward Coke, Lord Chief Justice of the King's Bench, whose 'In-

stitutes' and 'Reports' must for ever remain as monuments of his vast legal learning and unwearied industry. Sir Edward Coke was born on the 1st of February, 1551-2. After studying at Trinity College, Cambridge, he entered, according to the practice of the time, Clifford's Inn, one of the houses of Chancery subordinate to the Inner Temple. From thence he removed to the Inner Temple, where he was admitted on the 24th of April, 1572. On the 20th of April, 1578, he was called to the bar. Soon after his call he was chosen reader of Lyon's Inn, and, his reputation rapidly spreading, his practice became exceedingly large. It will be unnecessary here to trace his eventful history: it will be enough to say that he filled the office of reader of this house with great distinction, and that from the dignity of a bencher he rose by successive steps till he attained the office of Lord Chief Justice. Sir Edward Coke, throughout his life, took a lively interest in the Inns of Court; and in his works zealously maintained their honour, and by example endeavoured to promote sound learning within their walls.

John Selden, 'that famous and learned antiquarie,' as he is described on the title-page of the edition \* of Fortescue's 'De Laudibus' illustrated by his notes, entered this society on the 2nd June, 1604, having previously studied at Hert Hall, Oxford, and Clifford's Inn. Wood describes Selden as 'a great philosopher, antiquary, herald, linguist, and statesman,' and in his life-time he was styled the dictator of learning to the

\* 1672.

English nation. "He was a person," says Lord Clarendon, "whom no character can flatter, or transmit any expressions equal to his merit and virtue." Selden was called to the bar on the 14th of June, 1612.\* Having been chosen as reader of Lyon's Inn, Selden, who had a strong repugnance to appear in public, absolutely refused to fill the office. For this contempt he was fined 20*l.*, and was placed out of commons, by order of the bench of the Inner Temple; but this severe order was rescinded in 1624. Selden's chambers were in 'Paper Buildings,' which were begun in the sixth year of the reign of James I., by Mr. Edward Hayward of this inn, — Selden's 'chamber fellow.' Selden, though a man of prodigious learning, possessed the most polished and agreeable manners; that even such a man could indulge in innocent recreations at those seasons,—when, to quote an expression from Ben Jonson's dedication of one of his comedies to the Inns of Court, 'the cap and gown was off and the lord of liberty reigned,'—appears from the part he took in preparing the grand masque presented to King Charles I. by the four united houses. He was one of the managers of those devices. His zeal for the Inns of Court is manifested by his translation of Fortescue's book, and by the valuable notes with which he illustrated it. His dissertation upon *Fleta* is still highly prized by the legal profession. Selden died at the house of Elizabeth Countess Dowager of Kent, in her house without

\* *Ex Regist.* Inner Temple.

the Temple in White Friars, and was buried in the Temple Church, in the choir of which, before the recent restoration of that sacred edifice, there was a monument to his memory. His library, consisting of about 8,000 volumes is in the Bodleian Library, Oxford, to which it was presented by Sir Matthew Hale and other executors.

Among the poets of the Inner Temple, A. D. 1613, contemporary with Browne, of whom we have already spoken, were Unton Croke, Fr. Oulde, Thomas Gardiner, Fr. Dynne, Edward Heywood, John Morgan, Augustus Cæsar, Thomas Heygate, and, though last not least, J. Selden, '*Juris C.*,' who, in some stanzas addressed to the author of the '*Inner Temple Masque*,' attempts versification in the following strain:—

“ So much a stranger my severer muse  
Is not to love-strains, or a shepherd's reed,  
But that she knows some rites, of Phœbus' dues,  
Of Pan, of Pallas, and her sister's meed.”

Massinger composed some of his plays for the members of the Inner Temple, and they were represented in the Hall of this Inn. He dedicates his tragedy of '*The Picture*' “To my honoured and select friends of the noble Society of the Inner Temple.” “Accept it, noble gentlemen,” he says at the conclusion of his dedication, “as a confirmation of his service who hath nothing else to assure you, and witness to the world how much he stands engaged for your so frequent bounties; and in your charitable opinion



of me, believe, that you now may and shall ever command your servant, Philip Messenger."

William Longueville, the friend and generous patron of Butler the author of the immortal *Hudibras*, was a conveyancer and a benchler of the Inner Temple. He raised himself from a low beginning to great eminence in his profession, and is described as a person eloquent, learned, and of spotless integrity; he supported Butler, who, but for him, might literally have starved, and received from him, as a recompense, the papers called the 'Remains.' Dr. Nash notices a statement, that Butler was a member of Gray's Inn. His name, however, is not as I have ascertained, in the admission-books of that society; the knowledge of the law displayed in his works, may, perhaps, be accounted for by his having acted as clerk to a magistrate, in Worcestershire, by his employment in the family of the Countess of Kent, under Selden, and by his close intimacy with Mr. Longueville. Butler probably lived in chambers in Gray's Inn.

George Keate, a member of this Inn, was the author of the *Temple Student*, and several other dramatic pieces.

Thomas Blount, the author of the 'Law Dictionary,' 1670; and Edward Bulstrode, the author of the valuable 'Reports,' temp. Jac. I. and Car. I., were also of the Inner Temple.

Floyd, a barrister of the Inner Temple, in 1621, underwent an ignominious punishment, for saying of the King's daughter and her husband—"What is now

become of your good man, Palsgrave, and your good wife, Palsgrave—they had, I think, as much right to the kingdom of Bohemia as I have to the principality of Wales.” Floyd was compelled to ride two several days, from the Fleet Bridge to Cheapside, upon a horse, with his face to the tail of it; he was also twice placed in the pillory; the letter K was branded on his forehead, and he was then conveyed to the prison. Floyd had been a steward, in Shropshire, to Lord Chancellor Ellesmere.

During the Commonwealth, the following members of the Inner Temple, were ordered by the House of Commons to be called to the state and degree of serjeant-at-law:—Mr. Chapman, Mr. Gates, and Mr. Littleton; and they took upon them the degree of the coif accordingly.

Charles Abbott, afterwards Lord Tenterden, and Lord Chief Justice of the King’s Bench, was born at Canterbury, on the 7th of October, 1762. He was the son of a barber in that town, and at an early age was admitted on the foundation of the King’s School of the Cathedral. In 1781, young Abbott was elected a scholar of Corpus Christi College, Oxford, with an allowance of 50*l*. Having distinguished himself at the University, by the advice of Mr. Justice Buller, one of whose sons was his pupil, he entered himself as a student in the Inner Temple, in 1788. At the suggestion of his experienced adviser, he attended some months in the office of an attorney, he subsequently became a pupil of Mr. Wood, after-

wards Baron Wood; and practised for some time as a special pleader. He was called to the bar in this society, in Trinity Term, 1795. His practice on the Oxford circuit was very extensive; his fees for one year being returned at 8026*l.* 5*s.*, in the income-tax returns. His great work on the 'Law of Shipping,' greatly increased his reputation. In 1816, he was appointed as a puisne judge in the Common Pleas, and on the 4th of Nov., 1819, succeeded Lord Ellenborough, as Lord Chief Justice of the King's Bench. In 1827, Sir Charles Abbott was raised to the peerage, with the title of Baron Tenterden. He died Nov. the 4th, 1832.

William Cowper, the poet, was a barrister of this Inn. He was the son of the Rev. John Cowper, rector of Great Berkhamstead, in Hertfordshire, and grandson of Spenser Cowper, a Justice of the Common Pleas, who was brother of Lord Chancellor Cowper. Young Cowper was placed at Westminster school at the age of ten, and remained there till he was eighteen. He was then articled for three years to Mr. Chapman, an attorney, where Thurlow, afterwards Lord Chancellor, was his fellow pupil. Having abandoned the intention of practising as an attorney, he entered at Inner Temple, and in 1754, was called to the bar. He lived for eleven years in the Temple, and, while he resided here, we are informed, made love to his cousin Theodora Cowper, and contributed to 'The Connoisseur.' Cowper, for some time, was a Commissioner of Bankrupts, and a Clerk of the Com-

mittees of the House of Lords; but he was averse to such occupations, for which he was altogether unfit, and sighed for the repose of the country:—

“ Great offices will have  
Great talents: and God gives to every man  
The virtue, temper, understanding, taste,  
That lifts him into life, and lets him fall  
Just in the niche he was ordained to fill.  
To the deliverer of an injured land  
He gives a tongue to enlarge upon, a heart  
To feel, and courage to redress her wrongs;  
To monarchs dignity; to judges sense;  
To artists ingenuity and skill:  
*To me an unambitious mind, content  
In the low vale of life, that early felt  
A wish for ease and leisure, and ere long  
Found here that leisure and that ease I wished.”\**

The Inner Temple consists of—1. The Buildings in Inner Temple Lane. 2. Hare Court. 3. Churchyard Court, part of. 4. Farrar’s Buildings. 5. Tanfield Court: Tanfield Chambers. 6. Twisden Buildings. 7. Mitre Court Buildings. 8. King’s Bench Walk. 9. Paper Buildings. 10. Crown Office Row. 11. Harcourt Buildings. 12. Fig Tree Court. 13. Queen’s Bench Office. 14. Inner Temple Hall Stairs. 15. The Hall, Library, Parliament Chamber, &c.

The Inner Temple gate, opposite Chancery Lane, was built in the eighth year of the reign of James I., by James Benet, Esq., then one of his majesty’s serjeants-at-arms. No. 1, to the right hand side, as you

\* The Task.

enter the Inner Temple lane, is called 'Dr. Johnson's Stairs;' the great lexicographer having once resided here. Madame de Boufflers, when in England, visited the doctor in these chambers, in which also Boswell seems first to have made his acquaintance. Boswell lodged for some time at Farrar's Buildings.

A little chapel, dedicated to St. Anne, formerly abutted from the round of the church, and which, it is said, was much resorted to by barren women.

Murray, afterwards Earl of Mansfield, had chambers in the King's Bench Walks, where he was frequently visited by Pope, and other distinguished men of his day. Pope's lines, in his 'Imitations of Horace,' b. i. e. vi.—

" Graced as thou art with all the power of words,  
So known, so honour'd, at the House of Lords,"

were happily ridiculed by a writer named Brown, who parodied them:—

" Persuasion tips his tongue where'er he walks,  
*And he has chambers in the King's Bench Walks.*"

Murray seems to have had chambers at No. 5; for Pope, in his 'Imitations,' b. iv. ode i. says:—

" To *number five* direct your doves,  
There spread round Murray all your blooming loves."

Charles Lamb, the essayist, was born at Crown Office Row, and often speaks with enthusiasm of the Temple, its gardens, fountains, and pleasant courts. "So may the winged horse, your ancient badge and cognizance, still flourish!" exclaims Lamb, "So may future Hookers and Seldens illustrate your church and chambers!"

*Fig-tree* Court, and the ancient *Vine* Court, no doubt, acquired their names from trees which grew in those places, in times when lawyers "lived under their own vine and fig-tree." *Elm* Court, in the Middle Temple, too, probably derived its name from some venerable elm that flourished in that retired region. A brick building was erected in *Fig-tree* Court, in the fifteenth year of King James I., Sir Thomas Coventry, then Solicitor-General, being treasurer; and, in the fifth of Charles I., new buildings were made in the same court, Sir Richard Shelton, Solicitor-General, being treasurer. *Tanfield* Court, originally called 'Bradshaw's Rents,' from Henry Bradshaw, treasurer, in 26 Hen. VIII., takes its present name from Sir Laurence Tanfield, Lord Chief Baron, who had his residence here. *Twisden* Buildings seem to be called after Sir Thomas Twisden, Justice of the Common Pleas.

*Hare* Court is named, not after the hare that was formerly hunted during the Inner Temple Revels, but from Sir Nicholas Hare, Master of the Rolls, who had his residence here. The pump of *Hare* Court has derived celebrity from some satirical lines by the poet Garth. The water both here and in *Pump* Court is famed for purity.

Paper Buildings are celebrated as being the abode of Selden. His chambers were on the uppermost story, towards the garden stair-case, where he had a little gallery to walk in.

In the time of Davis and Marlow, the Temple

Gardens seem to have been newly laid out, from the following allusion in one of their pieces:—

The fine youth Cyprius is more terse and neat  
Than the new garden of the Old Temple is.

In the last century there was a rookery in the gardens; Sir Edward Northey, a learned lawyer, of the reign of Queen Anne, having brought a colony of crows from his grounds at Epsom. The rookery flourished in the time of Goldsmith, for he alludes, in his ‘Animated Nature,’ to the movements of the crows, which he had often, he says, observed from the windows of his chambers in the Temple.

The poets, from Spenser and Shakspeare to the author of the *Pleader’s Guide*,\* abound in allusions to the localities of the Temple:—

“ Fig-tree or Fountain-side, or learned shade  
Of King’s Bench Walk, by pleadings vocal made—  
Thrice hallowed shades! where slip-shod benchers muse,  
Attorneys haunt and Special Pleaders cruise!”

The Inner Temple Hall is the smallest of the halls of the Four Inns. It is built on the site of the hall of the Knights Templars, and part of the structure is supposed to be as old as the reign of Edward III. This hall has repeatedly suffered from fire, and has undergone several repairs. It has of late years been re-decorated, and is at present, though a small, an elegant apartment, with a handsome screen. In the hall are whole-length portraits of William and Mary,

\* Anstey.

Queen Anne, Sir Thomas Littleton, Lord Chief Justice Coke, Lord Kenyon, &c.

The following Readers of the Inner Temple were subsequently elevated to the judicial bench, &c.:—

Thomas Babington, { Attorney-General.  
                                  { Justice of the King's Bench, 1507.\*

John Port, Justice of the King's Bench, 1515.

John Baldwin, Chief Justice of the Common Pleas, 1517.

William Shelly, Justice of the Common Pleas, 1518.

John Baker, Chancellor of the Exchequer, 1522.

William Coningsby, Justice of the Common Pleas, 1526.

Thomas Audley, Lord High Chancellor of England, 1527.

John Whyddon, Justice of the King's Bench, 1529.

John Baker, Recorder of the City of London, 1530, *postea* Attorney-General.

Nicholas Hare, Master of the Rolls, 1533.

Thomas Bromley, Justice of the King's Bench, 1534.

David Brook, Chief Baron of the Exchequer, 1535.

Henry Bradshaw, Chief Baron of the Exchequer, 1537.

Richard Harper, Justice of the Common Pleas, 1553.

Richard Onslowe, Recorder of the City of London, 1562.

Roger Manwood, Chief Baron of the Exchequer, 1564.

Francis Gawdy, Justice of the King's Bench, 1565.

Thomas Bromley, Recorder of the City of London, 1565.

Edmund Anderson, Chief Justice of the Common Pleas, 1566.

Edward Flowerdue, Baron of the Exchequer, 1568.

Francis Beaumont, Justice of the Common Pleas, 1581.

\* These are the dates of their readings.



Edward Drew, Recorder of the City of London, 1584.

Edward Coke, Lord Chief Justice of the King's Bench, 1592.

Thomas Coventry, Justice of the Common Pleas, 1595.

Lawrence Tanfield, Baron of the Exchequer, 1595.

|              |   |  |
|--------------|---|--|
| John Crooke, | { | Recorder of London.                    |
|              |   | Speaker of the House of Commons, 1596. |
|              |   | Queen's Serjeant.                      |
|              |   | Justice of the Queen's Bench.          |

Thomas Foster, Justice of the Common Pleas, 1596.

George Crooke, Justice of the Common Pleas, 1599, *deinde*, Justice of the Queen's Bench.

Edward Bromley, Baron of Exchequer, 1605.

John Walter, Chief Baron of the Exchequer, 1607.

|                  |   |                                 |
|------------------|---|---------------------------------|
| Thomas Coventry, | { | Recorder of the City of London. |
|                  |   | Attorney-General.               |
|                  |   | Keeper of the Great Seal, 1616. |

John Bridgeman, Justice *Cestriæ*, 1616.

|               |   |  |
|---------------|---|--|
| Robert Heath, | { | Recorder of the City of London.          |
|               |   | Chief Justice of the Common Pleas, 1619. |

Thomas Trevor, Baron of the Exchequer, 1620.

|                |   |                                    |
|----------------|---|------------------------------------|
| George Vernon, | { | Baron of the Exchequer.            |
|                |   | Justice of the Common Pleas, 1621. |

|                |   |                                       |
|----------------|---|---------------------------------------|
| Heneage Finch, | { | Recorder of the City of London, 1622. |
|                |   | Solicitor-General, &c. &c.            |

Richard Weston, Baron of the Exchequer, 1628.

|                   |   |  |
|-------------------|---|--|
| Edward Littleton, | { | Solicitor-General.                       |
|                   |   | Chief Justice of the King's Bench, 1632. |
|                   |   | Keeper of the Great Seal.                |

Thomas Gardiner, Recorder of the City of London, 1639.

Adjoining the Inner Temple Hall are the Parliament Chamber, Bencher's Rooms, and Library;

in the former of which are busts, portraits,\* and engraved likenesses, of the following royal guests and eminent members of this house:—

Busts of Lord Abinger, Lord Thurlow, Sir W. W. Follett, Lord Ellenborough, and Sir Frederick Pollock, Lord Chief Baron of the Exchequer.

Portraits of King George I.

Queen Caroline, Consort of George I.

Philip Neve, Serjeant-at-Law.

Sir John Pratt, Lord Chief Justice, 1728.†

Sir Simon Harcourt, Lord Chancellor, 1713.

Sir Martin Wright, Justice, 1740.

Sir Richard Fanshaw.

\* There was formerly in the Inn a portrait of the notorious Sir George Jefferies, Lord Chancellor, painted for the Society by Sir Godfrey Kneller. In 1693 it was ordered by the bench to be removed, that “Mr. Treasurer do declare to the Lord Jefferies (Sir George’s son) that, at his lordship’s desire, the house do make a present to his lordship of his father’s picture now in Mr. Holloway’s chamber, who is desired to deliver the same to his lordship or his order.” It was accordingly delivered to his lordship by Mr. Holloway, and was conveyed to the family house at Acton, near Wrexham, in Denbighshire.

† A decision of this learned judge was thus humorously versified ; and was sung in one of the halls on grand day :—

A woman having settlement,  
 Married a man with none :  
 The question was, he being dead,  
 If that she *had* was gone ?  
 Quoth Sir John Pratt, her settlement  
*Suspended* did remain,  
 Living the husband—but him dead,  
 It doth revive again.

CHORUS OF PUISNE JUDGES.

Living the husband—but him dead,  
 It doth revive again.

S

Lord Keeper Coventry.  
Sir Robert Heath, Lord Chief Justice.  
Sir Nathan Wright.  
Sir Joseph Yates.  
Sir William Lee, Lord Chief Justice.  
Geoffery Gilbert, Lord Chief Baron of the Exchequer.  
Sir Thomas Pengelly.  
His Majesty King James II.  
Polexfen, Judge.  
Edward Lord Littleton.  
Sir John Trenchard.  
Earl Bathurst, 1681.  
Sir Francis Pemberton, Lord Chief Justice.  
Lord Trevor.  
Audley, Lord Chancellor.  
Sir Edward Coke.  
Lord Henley.  
Sir Peter King, Lord Chief Justice of the Common Pleas, 1724.  
Charles Pratt, Earl Camden.  
Charles Abbott, Lord Tenterden, Lord Chief Justice of the King's Bench.  
Sir Thomas Parker, Lord Chief Baron.  
Lord Loughborough, Lord Chancellor.  
Sir John Mitford, Lord Redesdale.  
Sir John Vaughan, Justice of the Common Pleas.  
Sir John Comyns, Lord Chief Baron of the Exchequer.  
Sir Eardley Wilmot, Lord Chief Justice of the Common Pleas.  
Sir Heneage Finch, Earl of Nottingham.  
Lord John Finch.\*  
Sir William Morrice, Secretary to Charles II.  
Sir John Powell, Justice of the Common Pleas.

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\* Son of the Earl of Nottingham, and not the Lord Keeper of the same name ; admitted 23d October, 1711 ; called to the bar 14th June, 1719. *Ex Regist.* Inner Temple.

Sir Shoulden Lawrence.

Sir Thomas Twisden, Justice of the Common Pleas.

Right Hon. Richard West, Lord Chancellor of Ireland.\*

The Right Hon. George Grenville.

John Gurney, Baron of the Exchequer.

Sir Edward Hyde East, Chief Justice of Bengal.

Sir George Crooke, Justice of the King's Bench.

Sir Joseph Jeykell, Treasurer of the Inner Temple, 1816.

Sir George Nares, Justice of the Common Pleas.

George Keate, Esq.

Sir John Blencowe.

Sir John King, Advocate-General, James, Duke of York.

Sir John Fortescue Almand, Justice of the Common Pleas.

Hon. W. Fortescue, Justice of the Common Pleas.

Francis Beaumont.

William Petyt, Esq.

Hon. Danes Barrington.

Francis Maseres, F. R. S., Cursitor Baron of the Exchequer.

#### THE LIBRARY.

Two spacious and elegant apartments, commanding a view of the garden and river, are appropriated to the valuable library of this society. The library consists of several thousand volumes on legal and general subjects, and comprises original editions of scarce works, and a large collection of MS. records, &c., containing matter interesting to the lawyer, historian, and antiquarian. The trustees of William Petyt, Esq.

\* He died 1727, at the early age of 36 years.

Keeper of the Records of the Tower, presented the whole of the MSS. committed to their care, to the Inner Temple as well as the sum of 150*l.* toward the erection of a place of custody for them. Petyt bequeathed 50*l.* for the use of the library of the Inner Temple, and also left a similar sum to the Middle Temple for the same purpose, and since that time this library has been considerably augmented, receiving fresh accessions every year.

#### CLIFFORD'S INN.

This Inn of Chancery is one of the lesser houses of the Inner Temple. It was anciently the town residence of the Barons Clifford, and has since retained their name. The inheritance of the Inn was granted by King Henry II. to Robert de Clifford to hold by the service of one penny to be paid into the exchequer at Michaelmas. After the death of this Robert de Clifford, Isabel his widow demised the house in the 18 Edw. III. to the students of the law (*apprenticiis de banco*, says Dugdale, are the words of the record) for the yearly rent of 10*l.* Afterwards, in consideration of the sum of 600*l.*, and the rent of 4*l.* per annum, it was granted to Nicholas Sulyard, Esq., principal of this house, Nicholas Guybon, Robert Clinche, and other seniors of the inn. In the reign of Queen Elizabeth there were 100 students in term in Clifford's Inn, and twenty students out of term. Sir Edward Coke was a student in this inn before his admission to the Inner Temple; and it deserves to be mentioned that Sir Matthew Hale and the principal

judges sat in Clifford's Inn hall after the great fire of London to settle the various differences that occurred between landlord and tenant, and to ascertain the boundaries of property. The arms of Clifford's Inn \* are *Checky Or* and *Azure of fesse Gules* within a *bordure* of the third, charged with a *Bezanet*.

In the common place-book of T. Gibbon's Harl. MSS.† I find the following note respecting Clifford's Inn:—

“ Upon Clifford's Inn Hall window is a coat of arms, Asure 3 Fesse Or, betuin 8 Golden Keyes, 3, 2, 2, 1, with this inscription:—*Will. Screen, electus et vocatus ad statū et gradū servientis ad legem extra hospitiiū istud et non aliūde, vixit temp. R. II., Hen. IV., et Hen. V.*”

This William Screen was probably a *Reader* in this Inn of Chancery, and had never filled the office in the Inner Temple, the house of Court to which it was subordinate. At this early period it was the usual practice to call to the state and degree of serjeant-at-law those barristers of the Inns of Court only who had been chosen on account of their experience, gravity, and learning as *Readers*, in the four houses; and this record of a deviation from that practice, on account of some special circumstances, shews how rare were the exceptions to the general rule, and how singular a circumstance it was accounted that a Reader in one of the lesser inns, who had never read in the hall of either of the principal houses, should be honoured with the coif.

\* Carter's 'Analysis of Honor.'

† Harl. MSS. 980, p. 300.

## CLEMENT'S INN.

This inn, also one of the subordinate houses of the Inner Temple, was an Inn of Chancery before the reign of Edward IV. Of this inn the MS. view \* of the Four Famous Colleges, &c., gives the following account:—"Clement's Inn beareth *Argent*, anchor without a stock, in pale proper, entering a C for Clement into the body thereof. This house sometimes was a messuage belonging to the parish church of St. Clement Danes from when it took its denomination: near to this house is that fountain which is called Clement's Well." In 2 Hen. VII. 1486, Sir John Cantlowe, Knt., in consideration of xl marks' fine, and 4*l.* i*vs.* viii*d.* yearly rent demised the house to William and John Eylot in trust, it is presumed, for the students of the law. About 20 Hen. VIII. Cantlowe's interest therein passed to William Holles, Knt., and Lord Mayor of London and ancestor of the noble family of Newcastle, one of whom, John Earl of Clare, whose residence was on the site of the present Clare Market, demised it to the principal and fellows of Clement's Inn. "The anchor is engraven on stone over the gate of the first entrance into the house, and is an hieroglyphic, figuring thereby that Pope Clement, as he was pope, was reputed *Caput Ecclesiæ Romanæ* for the Roman priesthood, or anchorage of Christendom figured by the anchor, and by the text C the sacerdotal dignity. Some hold that the device of the anchor was rather invented upon

\* Harl. 1104.

this reason; of the martyrdom of Pope Clement, as Jacobus de Voragia writeth, that he received his martyrdom being bound to a great anchor and cast into the sea by command of the Emperor Trajan." In the reign of Queen Elizabeth this inn contained 100 students in term, and twenty out of term. That this house was under the governance of the bench of the Inner Temple appears from the 'case of Clement's Inn'\* already cited.

There were many 'swinge-bucklers' formerly in the Inns of Court and Chancery, 'and town and gown' rows, were not unfrequent. Chaucer was fined, at the Inner Temple, for beating a friar, in Fleet Street, and in the reign of Henry VI., the principals of Clifford's Inn, Furnival's Inn, and Barnard's Inn were sent prisoners to Hertford Castle, in consequence of a tumult between the students of all the Inns of Court and Chancery, and the citizens of London, in Fleet Street. "O! the mad days that I have spent!" says *Master Shallow*, formerly of Clement's Inn; where, according to Shakspeare, the students were a riotorous set, "who knew where the bonarobas were." *Shallow* also relates how "he did fight with one Sampson Stockfish, a fruiterer behind Gray's Inn." Strype mentions that by reason of the "frequent disturbances and unthrifths" of the gentlemen in the Inns of Chancery, in the streets at night, the inhabitants were obliged to keep watches. In the year 1582, the Recorder himself, 'with six more of

\* 1 Keeble, 135.



the honest inhabitants,' stood by St. Clement's Church, to see the lanthorn hung out, and watch for some of these outrageous dealers. At about seven o'clock at night, they saw, young Mr. Robert Cecil, the Lord Treasurer's son, (afterwards Secretary of State to Queen Elizabeth,) pass by the Church. The parish authorities, no doubt expecting—

“ To catch in the fact of an overt act ”

one of the disturbers of their peace, were surprised when young Cecil (who probably had some suspicion of their business) *gave them as he passed a civil salute*; at which Strype informs us, they said “ Lo! you may see how a nobleman's son can use himself, and how he putteth off his cap to poor men: our Lord bless him.” The Recorder was quite charmed with this evidence of Robert Cecil's innocence, and wrote a letter to his father, saying “ your lordship hath cause to thank God for so virtuous a son.” It appears that the students of Gray's Inn, where Robert Cecil was a student, like the rest of the Inns of Court-men, sometimes got into a scrape. The following petition is among Lord Burghley's MSS.\*—

To the Right Honorable the Lords and others of her  
Maj<sup>ty</sup> most Honorable Pryvie Counsell,

“ Most humblie shewen unto yo<sup>r</sup> LL., That whereas we, Thomas Luttrell, and others, students in Grayes Inne, through o<sup>r</sup> unadvised facte *in defacing Woodes Stake*, have incurred yo<sup>r</sup> Honors heavye displeasure, for w<sup>ch</sup> we are more greeved then for our present Imprisonment. Wee, therefore, w<sup>th</sup> sorrowfull and submissive myndes

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\* MS. Lansd. article 20, fol. 92.

most humblie beseeche your LL. of your accustomed goodnesse to have favorable consideraçon of us in this case, and measure the matter w<sup>th</sup> our meaninge, w<sup>ch</sup> was voide of gyvinge any cause of offence unto your Honours. And all we the said offenders w<sup>th</sup> others, our fryndes, shall remayne bounden unto yo<sup>r</sup> LL. in all, by any manner of dutie and service duringe life, and, assuredlie praye to God for yo<sup>r</sup> healthes and happines w<sup>th</sup> encrease of much honor."

LYON'S INN.

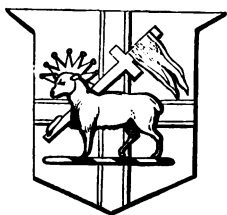
This was an Inn of Chancery, as early as the time of Henry V.\* In the time of Queen Elizabeth it contained eighty students in term, and thirty out of term, and readings and mootings were observed with great regularity. Sir Edward Coke was for some time reader at Lyon's Inn, and a portrait of that illustrious man is hung up in the hall. The learned Selden was chosen as reader of this Inn of Chancery, but he refused to read, and in consequence of his refusal, was, in the year 1624, fined 20*l*. by the Benchers of the Inner Temple, and excluded from commons. The Hall of this Inn is now used by the students of the four Inns of Court, for the meetings of three forensic societies, which meet weekly during the greater part of the year, for the discussion of legal and historical questions; an annual rent being paid by each society, for the use of the Hall, to the principal and ancients of the society. The arms of Lyon's Inn, are Checkie Or and Arg. a Lion Salient sab. lanqued and armed Gules.

\* Dug. Orig.



## CHAPTER IX.

### *Middle Temple.*



The Middle Temple comprises  
 —1. Buildings in the Middle Temple Lane. 2. Brick Court. 3. Essex Court. 4. New Court. 5. Garden Court. 6. Pump Court. 7. Part of Church-yard Court. 8. Lamb Buildings. 9. The Cloisters. 10. Elm Court. 11. Plowden Buildings. 12. The Hall, Library, &c. 13. The Garden.

The present gate of the Middle Temple was erected in 1684, from a design, it is said, by Sir Christopher

Wren. Over the gate-way are the arms of the society, and the following inscription:—

“ Surrexit impensis Societat. Med. Templi.

“ M.DC.LXXXIV.”

The old gate, which was then removed, was built by Sir Amias Paulet, who filled the offices of Reader of this Society, and Treasurer of the Middle Temple, 12 Hen. VIII. The story is, that when Wolsey was a curate at Lymington, in Somersetshire, Sir Amias Paulet, then ‘a justice of peace,’ put Wolsey in the stocks, for being drunk and disorderly. The Cardinal did not forget this indignity, and about the seventh year of Henry VIII., ordered Sir Amias not to quit London without a licence. Paulet took up his abode in the Gate-house of the Middle Temple, which he re-edified and ‘sumptuously beautified’ on the outside, with the cardinal’s arms, hat, cognisance, badges, and other devices, in ‘a glorious manner;’ hoping by this show of respect, to conciliate the offended churchman. In the ninth year of the reign of James I., some brick buildings adjoining the east side of the Middle Temple Gate, were erected by Sir Walter Cope and Sir Arthur George.

Brick Court, originally called Brick Buildings, was erected in the eleventh year of the reign of Queen Elizabeth, towards the charge of which Thomas Daniel, sometimes Treasurer of the Middle Temple, liberally contributed. This Court suffered from fire, in the beginning of the last century, as appears by the inscription:—*Phœnicis instar revivisco; Mar-*

*tino Ryder Thesaurario*, 1704. Oliver Goldsmith lived at No. 2, Brick Court, for some time, and here composed his "History of the Earth and Animated Nature." His chambers were on the second floor, on the right-hand side; and here he was often visited by Burke, Boswell, Garrick, Reynolds, Percy, Sir Philip Francis, and others of his distinguished contemporaries. On the first floor of No. 2, Brick Court, underneath Goldsmith, Sir William Blackstone, had his chambers, and here, probably, he arranged the materials for his 'Commentaries.' In this court, there is a sun-dial, with the inscription, 'Time and Tide tarry for no man.' It appears from the *London Spy*, that the inscription formerly was 'Begone about your business.' Elias Ashmole, the founder of the Ashmolean Museum, Oxford, and son-in-law of Sir William Dugdale, who seems to have derived some of the information for his 'Chronica Series' from him, had chambers in the Middle Temple Lane; where Anthony à Wood mentions that he found the two antiquaries in conversation. The east side of the Middle Temple Lane, was erected in the early part of the reign of Charles I.; some of the houses being described as 'fair brick buildings.'

There are several other sun-dials in the Middle Temple—one on a pedestal in the garden, one opposite the entrance to the hall, one in Pump Court, and another in the Middle Temple Lane, over the entrance to Elm Court, with the inscription:—*Pereunt et imputantur*.

Essex Court derives its name from its neighbourhood to Essex House, which formerly stood near the present Essex Street, and which was anciently called the *Utter* or Outer Temple. Essex House derived its name from Robert Devereux, Earl of Essex, the last favourite of Queen Elizabeth:—

“ Great England’s glory and the world’s wide wonder,  
Whose dreadful name late through all Spaine did  
thunder,  
And Hercules two pillars standing near,  
Did make to quake and fear.”

Devereux Gate, which opens from the Temple into Devereux Court, also derives its name from this nobleman.

John Evelyn, the author of *Sylva*, &c., lived in Essex Court, for some time, being a member of the Middle Temple, to the customs of which, he frequently alludes, in his *Diary*. During the Christmas of 1642, Evelyn was chosen one of the Comptrollers of the Middle Temple Revels; “as the fashion of y<sup>e</sup> young students and gentlemen was, the Christmas being kept this year with great solemnity.” In 1668, he writes—“went to see the Revels at the Middle Temple, which is also an old but riotous custom, and has relation neither to virtue nor policy.” Evelyn mentions that his brother, from Trin. Coll. Oxon., also came to the Middle Temple, “as gentlemen of the best quantity did, but without intention to study the law as a profession.” Edward Capell, lived in Essex Court, in 1767.

‘The Cloisters’ are built upon the ruins of the Cloisters, which, there can be little doubt, adjoined the Temple Church, and were similar to the Cloisters of Westminster Abbey, Norwich Cathedral, and others of our ancient churches and monastic edifices. It appears from the tablet on the existing buildings, that the ancient structure on this site, was destroyed by fire, in the year 1678:—

“*Vetustissima Templariorum porticus igne consumpta, anno 1678, nova hæc, sumptibus Medii Templi, extructa anno 1681, Gulielmo Whitelocke, armigero, thesaurario.*”

Elm Court is distinguished as the place where the illustrious Lord Somers had his chambers.

The Water Gate, at the bottom of the Middle Temple Lane, has existed from a very remote period; and it appears that, prior to the reign of Edward III., the Justices, Clerks of the King’s Courts, and others, engaged in the administration of the law at Westminster, had been accustomed to go from the gate by water, to Westminster. The Lord Mayor of London having closed the gates, Edward addressed the following mandate to that functionary, ordering the gates to be kept open to allow a free passage from the Temple to Westminster, to the parties named:—

“*Rex Majori Londoniæ et Escatori suo in eadem civitate, salutem.\**

*Quia intelleximus quòd, per medium Curiae Novi Templi Londoniæ, usque aquam Tamisiæ, communis transitus, pro justiciariis et clericis nostris, ac aliis, negotia sua apud Westmonasterium prosequentibus, et per aquam*

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\* Rymer’s *Fœdera*, tom. iv. p. 406.

transire volentibus, esse debet, et solet, totis temporibus retroactis.

Et quòd vos portas Templi prædicti per diem clausas tenetis, et ipsos justiciarios, et clericos nostros, et alios prædictos, quominus per medium dictæ curiæ transire possint impeditis :

Per quod tàm negotia nostra quàm alia communia, multotiens retardantur ;

Vobis mandamus quod portas dicti Templi per diem apertas tenere faciatis, ita quòd justiciarii et clerici nostri ac alii, qui per aquam transire voluerint, ibidem transire possint, prout hactenùs facere consueverunt.

Teste Rege apud Kenelworth, secundo die Novembris.\*

The arms of the Middle Temple are a holy lamb, bearing a banner, surmounted by a red cross, on a shield Argent charged with a cross Gules.† In ancient times, this lamb, symbolizing our sacred Redeemer, was embroidered on cloth, and, after episcopal benediction, was worn by the faithful, with the words of the Evangelist St. John,‡ *agnus Dei qui tollis peccata mundi*. The lamb was also employed in the

\* A.D. 1329, An. 3 Edw. III.

† "The Middle Temple beareth for distinction, Argent on a plain cross Gules, the Holy Lamb Or." MS. 'Harl. Car. I. also 'Analysis of Honor, 1669.' Anciently the Knight Templars before the Lamb did appropriate this ensign—"A galloping horse with two men on his back." Ibid.—"It appeareth on record, and in good authors that they (the Knights Templars) bore a shield Argent charged with a cross Gules, and upon the nombrill thereof a Holy Lambe ; and this I have seen enlumined in ancient manuscript books of the foundation and statutes of this order ; but before this they bear a horse with two men riding on him !" Sir George Buc.

‡ John v. 29.



decoration of churches, and is yet to be met with in many of our provincial and metropolitan churches. In Catholic countries, the *agnus dei* is still very generally worn by the peasantry. This *agnus dei* was assumed as one of the appropriate ensigns of the Knights Templars; their bearings being a shield argent, a plain cross, gules, and (brochant sur le tout), the holy lamb bearing the banner of the order, surmounted by a red cross:—

“ And on his brest a bloody crosse he bore,  
The deare remembrance of his dying lord,  
For whose sweete sake that glorious badge he wore,  
And dead as living ever him ador'd.  
Upon his shield the like was also scor'd,  
For sovereign hope, which in his help he had.”\*

The holy lamb seems also to have been borne by the Knights Hospitallers of St. John of Jerusalem, for I find one in the groined roof of St. John's Gate, Clerkenwell. If this be so, as this order succeeded the Knights Templars in the possession of their house, at Temple Bar, and afterwards demised it to the professors and students of the common law; we have an additional reason why this ‘glorious badge’ should have been assumed as the armorial ensign of the legal fraternity in the Temple.

The precise date at which the Middle Temple assumed these arms must be left to conjecture. Being the ancient arms of the Temple, it seems probably that they were at a very early date adopted by the

\* ‘Faery Queene.’

lawyers, who became tenants of the place, and successors of many of the immunities of the Knights Templars. But, for some cause, these arms fell into oblivion; for, when Sir George Buc (who had been, he tells us, a student of the Middle Temple), wrote his view of the 'Colleges of London,' 1612, it would appear that the Middle Temple did not bear any armorial ensign.

It seems to me probable, that the holy lamb and cross had been obliterated by the zealots in the reign of Hen. VIII., or Edw. VI., as a relic of ancient superstition, in the same way as crosses and figures of the saints were mutilated in many churches; and that either the ancient badge of the Temple had been forgotten, when the Inner Temple assumed the Pegasus, or that the members did not wish to incur a suspicion respecting their attachment to the reformed religion, by exhibiting such an emblem. The use of *agnus dei*s was strictly forbidden by 13 Eliz. c. 2., in which they are designated "vain and superstitious things."

Having described both the arms of the Knight Templars, Sir George Buc proceeds, "But, if the fellows and gentlemen of the Inner Temple have taken for the device or ensign of their college, a Pegasus, or flying horse, sables or gules, upon a shield or, as I hear that they did in the reign of the late queen of immortal memory, then they are already fairly armed. And, because the utter-Temple neither is, nor was ever any college or society of students, and therefore not

to be considered here, I will leave the choice of either of these old devices and ensigns to the gentlemen of the Middle Temple, they not having as yet, to my knowledge, chosen or appropriated any ensign to their society or college; to whom, and to their house and studies, I wish all honour and prosperity, for my particular obligation, having been sometimes a fellow and student (or, to confess a truth, a truant,) in that most honourable house." The worthy 'Master of the Revels'\* seems to have depended a good deal on hearsay; but, whether his authority is to be relied on or not, it is certain that, soon after the date of his book, the Middle Temple revived their ancient badge, and have ever since borne the lamb, with the banner and cross.

From a MS.† description of the orders, customs, and state of the fellowship of the Middle Temple, in the reign of Henry VIII., it appears that the fellowship of this society was divided into two classes or 'Companyes;' one called the *clerks' commons*, the other *masters' commons*; the former being juniors under two years' standing; "and, until they be called up to be of masters' commons, they shall not pay the pension-money of 3s. 4d. a-piece, neither pay so much for their commons, weekly, as the masters' commons do, by 6d. a-piece: *and they serve the masters' commons of their meat, every day, at dinner and supper.*" Again, the masters' commons, who were such above

\* Sir George Buc held this office under the Crown.

† Cotton MSS. vit. c. ix.

two years' standing, as had been called up by the bench, were farther divided into 'no utter-barristers, utter-barristers, and benchers.' *No utter-barristers* were such as had not yet been called to plead; *utter-barristers* were such as had continued five or six years, and profited in the study of the law, and who had been called to plead by the bench; "and this making of utter-barristers is as a preferment or degree given him for his learning." Benchers were utter-barristers, who, after fourteen or fifteen years' continuance, were chosen by the elders of the house, 'to read and expound some estatute.' During the time of reading, he had the name of Reader, and afterwards that of Bencher.

Respecting the readings in the Houses of Chancery, then dependant upon the Middle Temple, there is the following memorandum:—"Item, that the Middle Temple doth find two readers, which are utter-barristers, unto two Houses of Chancery; that is to say, the Strande Inne and New Inne, which readers do read unto them, upon some statute, in the term, time, and grand vacations; and they of the Houses of Chancery do observe the manner of disputations and motyng, as they do in the Temple, and their readers do bring each of them two with them of the Temple, and they argue unto it also."

Occasionally, the gentlemen appear to have been on 'short commons.' The fare on Wednesdays was, "Supper—meat to the value of 1*d.*, and the third part of 2*d.*, between two of the masters' commons.

Dinner—meat to the value of 1*d.*, and the third part of 2*d.*, between two of the masters' commons." On Saturdays they had better fare. "Dinner—two of the masters' commons have meat to the value of 4*d.* Supper—every one of the masters' commons and clerks' commons have four eggs." The stipends of the officers of the Middle Temple, in the time of Henry VIII, were:—

The steward's wages by the year 4 marks.

The chief butler's wages by the year 33*s.* 4*d.*

The second butler's wages by the year 6*s.* 8*d.*

The third butler's wages by the year 6*s.* 8*d.*

The chief cook's wages by the year 40*s.*

The manciple\* or steward's servant, his wages by the year 26*s.* 8*d.*

The under-cook's wages by the year 20*s.*

The laundress of the clothes of the house her wages yearly 6*s.* 8*d.*

Also at Christmas the three butlers have in reward of every gentleman of the house 12*d.*, and some give them in reward more.

Also at Easter the cook's manciple has in reward of every gentleman of the house 12*d.*, or thereabouts.

With respect to apparel, they had no order in the Middle Temple, in the reign of Henry VIII.; "but every man may go as him listeth, so that his apparell pretend no lightness or wantoness in the wearer; for even as his apparell doth shew him to be, even so shall he be esteemed among them." It appears that, in these days, every man might go in and out, through the house, at "all seasons of the night,"

\* This office, it is interesting to notice, had existed in the Temple from the time of Chaucer.

and, that in consequence of this latitude, robberies, and "other misdemeanours" sometimes occurred.

"If," says the record from which we have quoted, "if it happen that the plague or pestilence be anything nigh their house, they immediately break up their house, and every man goeth home into his country, which is a great loss of learning; for, if they had some house nigh London to resort to, they might as well exercise their learning, as in the Temple, until the plague were ceased."

In ancient times the circular part of the church stood open, and was a place of public resort. In the same manuscript, there is the following memorandum:—"Item, they have no place to walk in, and talk and confer their learning, but in the church; which place all the times hath in it no more quietness than the *pervyse of Pawles* by occasion of the confluence of such as are suitors in the law." The *pervyse of Pawles*, probably meant the *pervyse of Paul's*—the common way of designating *St. Paul's Cathedral*. *Pervyse* originally meant a forensic or academical disputation, and was afterwards applied to the porches or open part of churches where those discussions frequently took place. Selden was of opinion that it was a corruption of the Latin word *parvas* employed in Oxford to designate the inferior or afternoon disputations. Dr. Johnson thought that the word, which he spells *parvis*, was Norman French. It is certain that *pervyse* was applied both to the discussions or petty mootings in the Inns of Court, and

to the porches of churches. We know, from the story of 'Duke Humphrey,'\* and his guests, that St. Paul's was formerly a general rendezvous, and it was the custom of the serjeants in very ancient times to stand under the pillars of St. Paul's giving counsel to those who came to consult them. Chaucer speaks of—

A sergeat-at-law ware and wise  
That often had been at the *pervyse*.

Fortescue, speaking of the customs in the reign of Henry VI., informs us that in the afternoons, when Westminster Hall was closed, clients resorted *ad pervisum*, consulting with serjeants and other counsellors.

In Ben Jonson's play of the *Alchemist* there is an allusion to the Temple church, which shews that in his time the vestibule of the church was left open all the day:—

“ Here 's one from Captain Face, sir,  
Desires you to meet him in the *Temple Church*  
Some half hour hence ;”

and again:—

“ I have walked the *Round*  
Till now.”

Butler, also, in *Hudibras*, alludes to the Round as a place of common resort:—

“ Retain all sorts of witnesses,  
That ply i' th' Temples under trees  
Or walk the *Round*, with knights o' th' posts,  
About the cross-legg'd knights their hosts ;  
Or wait for customers between  
The pillar-rows in Lincoln's Inn ;  
Where vouchers, forgers, common bail,  
And affidavit-men ne'er fail,  
T' expose for sale all sorts of oaths, &c.

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\* See Bishop Hall's 'Satires.'

‘The ancient and solemn revels’ were conducted with ludicrous formalities. On the feast of All Saints the judges and serjeants who had issued out of the Middle Temple were entertained in the Inn. They came in their scarlet robes, and were received by the readers at the lower end of the hall. The senior or ancient reader had a ‘white staff’ in his hand, and his colleague a ‘white rod,’ with which he ushered in ‘the meat,’ which was preceded by music. Young gentlemen of the house under the bar brought the meat to the table, and the reader received the dishes, and placed them on the table ‘in decent order;’ and during the feast both the readers with solemn courtesies welcomed the judges and serjeants. The puisne reader also served every mess throughout the hall. Dinner being ended the judges and serjeants were ushered either into the garden, or some other retiring place, till the hall was cleansed and prepared. The judges and serjeants having returned, the ancient reader took his stand at the upper end of the bar table, the puisne reader placing himself at the cupboard in the middle of the hall; where as soon as the music had struck up he called twice for the *Master of the Revels*. The ancient with his white staff then advanced, and began ‘to lead the measures,’ followed by barristers and students, all according to their several antiquities; and when one measure was ended the reader at the cupboard called for another, and so on in order. Before the conclusion of the last dance the functionary at the cupboard called to one of the gentlemen of the



bar to give the judges a song, and the call being responded to, the company joined in chorus. Whilst the company were singing and walking round the hall, the reader with the white rod left the cupboard for the buttery, accompanied by a competent number of utter-barristers and gentlemen under the bar, and there delivered to every barrister a towel with wafers in it, and to every gentleman under the bar in attendance a wooden bowl filled with ipocras; a solemn procession was then formed, and, with several low *congéés*, they presented a towel with wafers, and a bowl to every judge and serjeant; who soon after took their departure, being conducted to the court-gate by the readers.

The following account of the annual wages of all masters or members of the Society of the Middle Temple, and also of all servants, and their under-officers belonging thereunto, temp. Car. I. is curious:—

|   | £  | s. | d. |
|---|----|----|----|
| To the Lent Reader one special admittance and a hogshead of wine, besides in money  | 11 | 0  | 0  |
| To the autumn Reader the like allowances  | 11 | 0  | 0  |
| To the reader of divine service in the church 10 <i>l.</i> per annum, being a joint payment from both houses, therefore only from this society                    | 5  | 0  | 0  |
| To the master of the Temple is paid rent from the house, and his rents for the chamber, per annum   | 34 | 13 | 4  |
| To the clerk of the church for carrying the bell about, which summons them to prayers, and for finding wax lights for the altar, mats, bell ropes, &c., per annum | 5  | 13 | 4  |
| To the under-treasurer the annual fee   | 20 | 0  | 0  |

|  |                     |   |        |
|--|---------------------|---|--------|
| The annual rent of the house and fees for the<br>payment of it into the Exchequer, their fees<br>and acquittance . . . . . | 10                  | 7 | 8      |
| Wages paid to the steward  | 4 marks a<br>piece. | } | 13 6 8 |
| To the chief butler  |                     |   |        |
| To the chief cook  |                     |   |        |
| To the panyerman   |                     |   |        |
| To the four puisne butlers 1 <i>l.</i> a piece . . .   |                     |   | 4 0 0  |
| To the porter . . . . .  |                     |   | 7 10 0 |
| To the gardiner . . . . .  |                     |   | 6 13 0 |
| To the second cook . . . . .   |                     |   | 2 0 0  |
| To the turnspit . . . . .  |                     |   | 1 6 8  |
| To the two wash-pots * a piece   |                     |   |        |
| To the laundress for washing the linen . . .   |                     |   | 16 0 0 |
| To the porter of the lane and rents . . .  |                     |   | 4 0 0  |
| For keeping the parliament chamber, &c. . .  |                     |   | 4 0 0  |
| To music their yearly entertainment, besides<br>their diurnal pay for service . . . . .                                    |                     |   | 2 13 0 |
| To the cook for allowance for pewter . . .   |                     |   | 5 0 0  |
| To the panyerman for saucers . . . . .   |                     |   | 1 7 0  |
| To the under-treasurer for keeping and<br>cleansing all the house plate, being 780<br>ounces . . . . .                     |                     |   | 1 3 0  |
| <i>To the stage players on the two grand days for<br/>each play 10<i>l.</i></i> . . . . .                                  |                     |   | 20 0 0 |
| But note these are doubled and receive 40 <i>l.</i> a play.  |                     |   |        |

Every afternoon in term time a horn is blown in the Middle Temple, at the blasts of which many a hungry student has sung with Sternhold and Hopkins:—

“ Oh! ’twas a joyful sound to hear.”

Dugdale notices this custom, which seems to be a very ancient one,—“ The panyer-man by the winding of his

\* This expression occurs in the authorised version of the Bible. Psalm lx. 8.

horn summons the gentlemen to dinner and supper." I find the following returns of the numbers of the chambers occupied, and members in the house in the time of Queen Elizabeth:—

THE MYDLE TEMPLE.\*

There are in the Mydle Temple cxxxviij chambers. There are ordynaryly in comens in Terme tyme cc, or neare thereabouts.

There are ordynaryly in comens in the tyme off read-yngs c. or near thereabouts. And in the mene vacacyons not passyng fyfthe.

NEW INN.

There are ordynaryly in comens in the Terme tyme lxxx, or neare therabouts.

There are in comens in the tyme of Redyngs not passyng xl., and in the mene vacacyons about xx.

JO. POPHAM.

cclxxx in Terme.

lxx out of Terme.

The annexed letter, 'concerning the reformation of disorders in y<sup>e</sup> Innes of Courte,' addressed to the Bishop of London, and other ecclesiastical commissioners apparently by the Star Chamber, is from the same MS. collection †;—

"After our very hartie commendations. Where in the xi<sup>th</sup> yeere of the Queenes Maj<sup>ty</sup> reigne in the Term of Easter, we did by o<sup>r</sup> lr<sup>es</sup> to the Auncyents and Benchers of the Innes of Courte, signifie what order was than taken in the Sterre Chambre for reformation of a sorte of pr<sup>sons</sup> about that tyme detected to be in the same houses, of disordered demeanor and p<sup>erse</sup> disposition, specially against the lawes and ordres Ecclesiasticall of the Churche; wh<sup>ch</sup> order being at good length, by o<sup>r</sup> sayd lr<sup>es</sup> than

\* MS. Lansd. No. 106, art. 16, fol. 83.      † Ib. No. 15, art. 74.

declared and explanyd, we understand was for that tyme reasonably executed, to the reformation of som who weare therby profitably reconcyled, and to the expulsion and secluding of som others that weare so perverse, or rather seditiously bent, to contynue in disordre as by no convenient persuasion they weare than refourmyd: but after som tyme expyred (as we are now credibly informyd), the former disordres are revived, or rather increased, for lack partly of the contynuanee of som of those ordres w<sup>in</sup> the houses by the auncyents and Benchers, and partly for that suche regarde hath not lately bene had by you, the Commissioners Ecclesiasticall, to understand of the sayd contempts, as was necessary. Wherefore, considering how necessary a mater yt ys to provyde that in those houses consisting of so greate companyes, where properly obedience to lawes and observation of good orders shuld be professed, ye contrary therof not nouryshed, and that by suffrance the mischefe may, by the authors of suche contempts, be dispersed abroad in the Realm, and y<sup>t</sup> w<sup>t</sup> the more facilitie and danger allso to increase, where the offenders shall gather credit among the vulgar sorte, by profession of the knowledge and execution of the co<sup>m</sup>on lawes of the relm. We have, upon good deliberation, thought y<sup>t</sup> very necessary that yo<sup>r</sup> Lordship and others having suffycient authoritie from her Ma<sup>tie</sup> to see to the due execution of all the Lawes Ecclesiastical shuld heerof be infourmyd, and so we requyre you that you will speedily, before the end of this Term, send for som of the Auncyents and Benchers of the discreetist and dutyfullest of every house or Inne of Courte, and likewyse for som of the Innes of Chancery, and inquire of the disordres in these kynd of causes concernyng the observacion of the lawes ecclesiasticall and the rytes of the Church. And as you shall fynde the same disordres lykely to be increased, so to consider how the same may be reasonably and speedily redressed, using therein, as

cause shall require, conference eyther w<sup>t</sup> the Lord Keper of the Greate Seale of England, and the twoo cheefe Justices, or any of them, to whom partly doth belong (as we understand) som regarde for the good ordering of the said houses or Innes. And, therupon, as farforth as appartaynith to the authoritye of your commission to reform, or otherwyse to correcte, the parties offending, and to lymytt som good orders for the due service of God in those houses, and to staye and reforme the rest from the entrye into lyke offences, wherein, surely, the wholle realm shall take no small proffytt, both for the honor and service of God, and for the better administration of lawes, and fynally by the gyving of a Generall good example of obedience to the rest of the subjects."

A. D. 1572.

The following petition of the gentlemen of the Four Inns of Court, presented to the House of Commons in the year 1642, affords a striking illustration of the distracted state of this kingdom at that period:—

"That you will be pleased to reflect upon the honorable service of God, to behold him in his throne and dignity, and that thereby the poor Protestants of this kingdom, between the two extremities of zeal, may not suffer a distraction of religion.

"That you will be pleased to serve God's anointed, his immediate vicegerent, our true and lawful Sovereign Lord the King, in his person and all his regal dignities and lawful immunities without any impeachment of his regality, in whose honour the reputation of the three kingdoms depend.

"That you will be pleased to ratify and confirm all things both concerning his Majesty and the state of this kingdom as they were in those blessed days of Queen Elizabeth and

King James, that we may thereby live in these later and turbulent times with as much peace to our consciences, with as much dignity to our nation, in as true love and obedience to our lawful sovereign, and with as much liberty and liberality of our fortunes, as our forefathers heretofore have done.

“ That you will not suffer learning to be defaced, nor discountenanced by the ignorant, but rather that you will be pleased to advance it to its dignity, it being the main supporter of lawful obedience, order, civility, and regularity in all sorts.

“ That you will be pleased to qualify the exorbitances of the separatists and disorderly persons, that thereby the city of London and the suburbs may be disburthened from their continual cares and fears, besides their loss of time, health, and fortunes, which by their train bands, double and treble watches and wards, they continually do sustain.

“ That you will be pleased, as the state by election hath made you members of this honourable house, and adopted you our fathers to govern our fortunes, to establish our laws, and to regulate our actions ; so we now beseech you to satisfy our consciences, to preserve our reputations, and to admit of a liberal and free discourse in parliament concerning all these things without interruption or fear of punishment, that thereby the glory of God may be exalted, the dignity of our king and kingdom may be preserved, the immunities of your house according to the ancient custom of England continued, all precipitated tumults opposed, and all discords as peaceably united, the valiant and renowned actions of our predecessors revived, our tottering fortunes established, our king and kingdoms united, that so our minds and consciences may be fully satisfied.”\*

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\* I have taken this petition from a scarce quarto tract, consisting of four pages, published A. D. 1642.

One of the fanatical publications of 'the yeare of grace and reformation,' 1642, is entitled '*Nevvs from Hell, Rome, and the Innes of Court*;' it contains a letter from the Devil to the Pope, and among other extravaganzas exhibits articles of agreement between the high and mighty Prince Lucifer, primate of the Roman Church, &c., of the one part, and of certain lawyers of the other part, being signed, sealed, and delivered in the presence of—

|                    |            |
|--------------------|------------|
| William Laud,      | Bishop.    |
| Isoprise Crawly,   | Judge.     |
| Bribery Long,      | Justice.   |
| Corrupt Fountaine, | Lawyer.    |
| Jumping Juniper,   | Attorney.  |
| Johnson in Graine, | Jayler.    |
| Robert Kilfart,    | Solicitor. |

#### MIDDLE TEMPLE HALL.

This noble Elizabethan Hall is one of the finest structures in the metropolis, the interior being inferior to none in beauty and stateliness. It was commenced in the year 1562, the fifth year of the reign of Queen Elizabeth, under the auspices of the learned Plowden, who for nine years superintended the works. It was finished in the year 1572 (14 Eliz). In order to defray the expense of the building the members were assessed by three different assessments. In 17 Jac. an order was made by the bench in parliament that forasmuch as by one decree made 8th of February, 13 Eliz., the old pensions had been augmented for three years then next following, towards the payment

thereof, and by another order in parliament held 10th of February, 16 Eliz. that they had been augmented one year more for the same purpose, and that as funds were still wanted for the liquidation of the debt, the augmentation of the said pensions should continue yet one year longer. The length of the hall is about 100 feet ; the breadth about forty. The lofty and well proportioned roof of dark oak richly carved and ornamented cannot fail to excite the admiration of every one who sees it. " On entering the hall by one of the doors beneath the music-gallery," observes a visitor, " the *coup-d'œil* which presents itself is truly magnificent." The windows and walls are decorated with the arms of distinguished members of the inn. Over the dais is placed a portrait of King Charles I. on horseback, the size of life, by Vandyke; being one of the three paintings of that king by this great master; one of which is at Windsor the other at Warwick Castle. There are also portraits of Charles II., James Duke of York, William III., Queen Anne, and George II. There are busts in imitation of bronze of the Twelve Cæsars ranged at each side of the hall; and busts in marble on pedestals of Lord Stowell and Lord Eldon. The screen and music gallery are exceedingly beautiful, being of oak elaborately carved. This screen was erected in 17 Eliz., and towards the expense of its erection every master of the bench was assessed at 20s. every master of the utter-bar, officer, and common attorney at 10s., and every other member of the



society at 6s. 8d. In the music gallery there are several pieces of armour consisting of breastplates, helmets, &c. This Hall has upon three occasions been honoured by the presence of royalty; Queen Henrietta, consort of Charles I., Peter the Great, Czar of Russia, and King William III., having been entertained with masques here.

ENTERTAINMENT OF KING WILLIAM III. IN THE MIDDLE  
TEMPLE.

On the accession of King William III. his majesty, it appears, was entertained at a banquet in the Middle Temple Hall, followed by a masque, which was the last of these performances in the Inns of Court of which any account has been preserved. In the *Life of Richard Nash, Master of the Ceremonies at Bath* (better known as Beau Nash), we are informed that being then a member of the Middle Temple, and a very young man, he was appointed to conduct the whole ceremony. "At that early age, he was thought proper to guide the amusements of his country, and to be the *arbiter elegantiarum* of his time. In conducting this entertainment, he had an opportunity of exhibiting all his abilities; and King William was so well satisfied with his performance, that he made him an offer of knighthood. This, however, he thought proper to refuse. 'Please your majesty,' replied he, 'if you intend to make me a knight, I wish it may be one of your poor knights of Windsor, and then I shall have a fortune at least able to support my title.' "

The following lawyers, who filled the office of Reader of this house, were subsequently raised to the Judicial Bench:—

John Vavaseur, Justice of the Common Pleas, 1490.

Luke Pollard, Justice of the Common Pleas, 1515.

Richard Elyot, Justice of the Common Pleas, 1514.

John Fitz James, Justice of the King's Bench, 1522.

John Bowering, Chief Justice of the King's Bench, Ireland, 1507.

William Portman { Justice of the King's Bench, 1547.  
                              { Chief Justice of ditto, 1554.

Richard Brooke, { Justice of the Common Pleas, 1521.  
                              { Chief Baron of the Exchequer, 1526.

John More, Justice of the Common Bench, 1518.

Walter Luke, Justice of the King's Bench, 1553.

Richard Lister, { Chief Baron of the Exchequer, 1530.  
                              { Chief Justice of the King's Bench,  
  1546.

Humphrey Browne, Justice of the Common Pleas, 1543.

Thomas Englefield, Justice of the Common Pleas, 1527.

Edmund Mervin, Justice of the King's Bench, 1541.

Edward Montague, Chief Justice King's Bench, 1539.

Edward Sanders, Chief Baron of the Exchequer, 1559.

Richard Riche, Lord Chancellor of England, 1547.

Nicholas Luke, Baron of the Exchequer, 1540.

Robert Broke, Chief Justice of the Common Pleas, 1554.

Robert Catlyn, Chief Justice of the King's Bench, 1559.

Reginald Corbet, Justice of the King's Bench, 1559.

James Dyer, Chief Justice of the Common Pleas, 1559.

Anthony Browne, Justice of the Common Pleas, 1559.

Richard Weston, Justice of the Common Pleas, 1559.

John Walshe, Justice of the Common Pleas, 1562.

Thomas Carus, Justice of the Queen's Bench, 1564.

John Southgate, Justice of the Queen's Bench, 1562.

George Frevill, Baron of the Exchequer, 1563.

Thomas Meade, Justice of the Common Pleas, 1578.

Robert Bell, Baron of the Exchequer, 1577.

John Popham, Chief Justice of the Queen's Bench, 1592.

Thomas Gent, Baron of the Exchequer, 1588.

George Snigg, Baron of the Exchequer, 1604.

Augustine Nicholls, Justice of the Common Pleas, 1612.

John Dodderidge, Justice of the Queen's Bench, 1612.

Henry Montague, { Chief Justice of the King's Bench.  
                                  { Lord Keeper *privati sigilli*, 1616.

Anthony Ben, Recorder of the City of London, 1611.

George Shirley, Chief Justice of the King's Bench in Ireland, 1615.

Robert Hyde, Chief Justice of the King's Bench, 1614.

Richard Martin, Recorder of London, 1615.

Nicholas Hyde, Chief Justice of the King's Bench, 1626.

James Whitlock, Justice of the King's Bench, 1624.

John Bramston, Chief Justice of the King's Bench, 1635.

Thomas Mallet, Justice of the King's Bench, 1641.

Robert Berkley, Justice of the King's Bench, 1632.

Richard Lane, { Chief Baron of the Exchequer, 1643.  
                                  { Keeper of the Great Seal.

Robert Brerewood, Justice of the King's Bench, 1643.

Among the British poets and dramatists, whose works have immortalized their names, the Middle Temple claims the following *alumni* :—

JOHN DAVIS, Knt.

JOHN FORDE, admitted 16th Nov., 1602.\*

\* *Ex Regist.* Middle Temple. It has been erroneously stated that Forde was of Gray's Inn. He dedicated his *Lover's Melancholy*, to his friends of that society, which accounts for the error.

NICHOLAS ROWE, admitted 4th Aug. 1691, called to the bar 22nd May, 1696.\*

WILLIAM CONGREVE, admitted 17th March, 1690.†

THOMAS SHADWELL, admitted 7th July, 1658.‡

THOMAS SOUTHERNE, admitted 15th July, 1680.§

RICHARD BRINSLEY SHERIDAN, admitted 6th April, 1773.||

THOMAS MOORE, admitted 19th Nov., 1795.¶

Edward Montague, Lord Chief Justice of the King's Bench, was of this house.\*\* He was reader of the Middle Temple, 16 Hen. VIII., and double reader 23 Hen. VIII., in which year he was called to the degree of serjeant. On the 22nd of January, 30 Hen. VIII., he was knighted, and constituted Lord Chief Justice. The motto on his rings was *equitas justitiæ norma*. "In his times," Fuller remarks, "though the golden showers of the *Abbey-lands* rained amongst great men, it was long before he would open his lap, scrupling the acceptance of such gifts, and at last received but little in proportion to others of that age." Sir Edward Montague drew up the Will of Edward VI., settling the crown on Lady Jane Grey. He was removed from his office by Queen Mary, but was permitted to retire to the country, where he died, A. D. 1556.

Sir James Dyer, Lord Chief Justice of the Common Pleas. This great luminary of the law was born in the year 1511, at Roundhill, in the county of Somerset. He entered, as a commoner, at Broadgate Hall, Ox-

\* *Ex Regist.* Middle Temple.

† Ibid.

‡ Ibid.

§ Ibid.

|| Ibid.

¶ Ibid.

\*\* Fuller erroneously says he was of the Inner Temple.

ford, and from thence removed to the Middle Temple. He was elected Autumn reader of this house 6 Edw. VI. In 1552 he was called to the degree of the coif, in company with those famous lawyers, Staundforde and Broke. In the following year, Dyer and Staundforde were constituted Queen's Serjeants; and, at the trial of Sir Nicholas Throgmorton, for high treason, Dyer assisted. In 1556, being then Recorder of Cambridge, he was appointed one of the Justices of the Common Pleas, and received the honour of knighthood. In the following year he was removed to a seat in the Queen's Bench, and on the 22nd of May, 1 Eliz., Sir James Dyer was appointed Lord Chief Justice of the Common Pleas, which office he held, with the highest reputation for learning and integrity, for twenty-four years. "Let his own works praise him in the gates," exclaims old Fuller, "let his learned writings, called his commentaries, or his reports, evidence his abilities in his profession." He died on the 20th of March, 1581.

Sir Robert Broke, Lord Chief Justice of the Common Pleas, the author of the great work cited as *Broke's Abridgement*, which contains an abstract of the year books from their commencement to the time of Queen Mary, was of the Middle Temple.\* He was the son of Thomas Broke, Esq., of Claverley, in Shropshire, and was educated at Oxford. From thence he removed to the Middle Temple. He was appointed

\* Stow erroneously states that he was of Gray's Inn. When Broke was created Serjeant, the Serjeant's Feast was held in Gray's Inn Hall.

Autumn reader in this house 34 Hen. VIII., and double reader 5 Edw. VI. In Michaelmas Term, 1552, he was called to the state and degree of serjeant-at-law; and in the year 1554, 2 Ph. & M., he was constituted Lord Chief Justice of the Court of Common Pleas, having previously, according to Stow, been Recorder of London, and Speaker of the House of Commons. He was an able lawyer, and an upright judge. "His posterity," says Fuller, "still flourish in a worshipful equipage at Nacton, near Ipswich, in the county of Suffolk."

Edmund Plowden, Serjeant-at-law, the author of the learned 'Commentaries' &c., was the son of Humphrey Plowden, of Plowden, in Shropshire. Having spent three years in the study of philosophy and medicine at the University of Cambridge, he removed to Oxford, when, in 1552, he was admitted to the practice of physic. He subsequently abandoned the medical profession, and entered as a student of the common law in the Middle Temple. He attained great proficiency in the law, and in 4 & 5 Ph. and M., was elected reader of this society, and in 3 Eliz. double reader. He was about this time called to the degree of the coif. It was during the treasurership of Plowden that the magnificent hall of the Middle Temple was commenced, he having been specially constituted treasurer for that work. He died in the year 1584, and was buried in the Temple Church.

Sir John Davis, the author of Reports,\* and

\* See *ante*, page 38.

several other legal works, and a poet of considerable repute, was of this society. His father was a member of New Inn, and a practitioner of the law, in Wiltshire. At the Middle Temple, young Davis became rather notorious for his irregularities, and, having beaten Mr. Richard Martin,\* in the hall, he was expelled the house. Afterwards, through the influence of Lord Chancellor Ellesmere, he was restored to his position in the Middle Temple; and, in 1601, was elected a member of the House of Commons. In 1603, he was appointed, by King James, Solicitor-General in Ireland. In 1606, he was called to the degree of Serjeant-at-law; and, in the following year, was knighted, by the King, at Whitehall. In 1612, he published a book on the state of Ireland, which is often referred to; and, soon afterwards, he was appointed King's Serjeant, and Speaker of the House of Commons in Ireland. On his return to England, he published his reports of cases adjudged in the King's Court in Ireland, the first reports of Irish cases made public. The preface to these reports is very highly esteemed. It has been said to vie with Coke in solidity and learning, and equal Blackstone in classical illustration and elegant language. Sir John Davis died 7th of December, 1626.

Sir Walter Raleigh,—‘the courtier’s, soldier’s, scholar’s, eye, tongue, sword,’—whose rise is marked by so many romantic incidents, and whose fall and melancholy death are attended with so many cir-

\* Also a poet, and afterwards Recorder of London.

cumstances to excite our sympathy, was a student in this inn. Some remarks at his trial, in which he professed himself unacquainted with the law, have been interpreted by one of his biographers, as a proof that he never had been a member of an Inn of Court. The authority of Dugdale will, perhaps, be enough to decide the matter; his work contains the arms of Sir Walter Raleigh, copied from one of the windows of the Middle Temple Hall, where they are still to be seen, and placed, by him, among the arms of the other distinguished members of this society. Raleigh, moreover, resided in chambers in the Temple in 1576, as appears by the dedication of a satire inscribed to him by George Gascoyne.

Peter Brychet, a student of the Middle Temple in the year 1573, a puritan, whose mind became inflamed by fanaticism, struck Sir John Hawkins, the celebrated navigator, with a poniard, as he was riding near Temple Bar, toward the Temple, and severely wounded him. Brychet mistook Sir John Hawkins for Sir Christopher Hatton, whom he believed himself called upon to assassinate, as being "a wilful papist, that hindreth the glory of God as much as in him lieth." Brychet having been committed to the Tower, there murdered his keeper: he was brought to trial and executed.

Sir John Saville, the author of 'Reports temp. Eliz.,' was a member of this society. In 28 Eliz. he was reader of the Middle Temple. He was afterwards steward of the Lordship of Wakefield, York-



shire; and, in 36 Eliz., was called to the state and degree of Serjeant. On the 1st of July, 40 Eliz., he was created one of the Barons of the Exchequer, and was afterwards knighted by King James. He died in the year 1606. His body was buried in St. Dunstan's Church, Fleet Street; and his heart was buried in the church, at Medley, near Leeds.

William Fleetwood, the author of various legal works, was the natural son of Robert Fleetwood, of Hesketh, in Lancashire; he was educated at Oxford, and from thence removed to the Middle Temple, where he soon distinguished himself. In 6 Eliz. he was elected reader, and in 11 Eliz. double reader. In the following year he became Recorder of London, in which office he manifested great zeal. In the year 1576, being informed that several of her majesty's subjects were assembled to hear mass at the Charter House, in the chapel of Geraldi, the Portuguese ambassador, Fleetwood, with the two sheriffs, entered the chapel during the service, dispersed the foreigners, and committed the English subjects to prison. The ambassador complained to the queen, and it was thought necessary to punish Fleetwood, by confinement in the Fleet, till the ambassador left the kingdom. In 22 Eliz., Fleetwood was advanced to the degree of Serjeant, and ten years afterwards was created Queen's Serjeant. He died in 1593.

Nicholas Rowe, the author of 'the Fair Penitent,' 'Jane Shore,' &c., was the son of John Rowe, Serjeant-at-law, the editor of Benlow and Dallison's

Reports, temp. Jac. II., who died in 1692, and was buried in the Temple Church. Rowe was born at Little Beckford, in Bedfordshire, in 1673, and, after studying at Westminster School, at the age of sixteen was entered a student of the Middle Temple, on the 4th of August, 1691, where, according to Dr. Johnson, "for some time he read statutes and reports with proficiency proportionate to the force of his mind, which was already such, that he endeavoured to comprehend law, not as a series of precedents or collection of positive precepts, but as a system of rational government and impartial justice." Rowe was called to the bar 22nd of May, 1696;\* but seems never to have practised at the bar. He held various offices: he was appointed Clerk of the Council to the Prince of Wales, and was made Secretary of Presentations by Lord Macclesfield, the Lord Chancellor.

Sir John Popham, Lord Chief Justice of the King's Bench, was the eldest son of Edward Popham, Esq., of Huntsworth, in Somersetshire; he was born in 1531. He was for some time at Baliol College, Oxford; and from thence removed to the Middle Temple, where he was noted for his gaiety and dissipation. "But, oh!" says Fuller, "if quicksilver could be really fixed, to what a treasure would it amount. Such is *wild youth*, seriously *reduced to gravity*, as by this young man did appear." After his call to the bar, he abandoned his pleasures, and

\* *Ex Regist.* Middle Temple.

applied himself sedulously to the study of the law. He was elected Autumn reader 10 Eliz. In 20 Eliz. he was called to the state and degree of Serjeant-at-Law; but in the following year, on his appointment as Solicitor-General to Queen Elizabeth, was 'exonerated' from it. In 23 Eliz. he was appointed Attorney-General, and was that year made Treasurer of the Middle Temple. In the 34 Eliz. he was constituted Chief Justice of the Queen's Bench. He was one of the members of the Privy Council, forcibly detained by the unfortunate Earl of Essex, and Sir John appeared and was sworn in open court, as a witness,\* on the trial of Essex. Popham was the author of 'Reports, temp. Eliz.,' and of 'Resolutions and Judgements,' of the same period.

Sir George Buc, Knight, Master of the Revels, who dedicated his discourse on 'All the Colledges, Ancient Schools of Privilege, and of Houses of Learning, within and about the famous City of London,' to Lord Chief Justice Coke, was of the Middle Temple, "to whom, and to their house and studies," he says, "I wish all honour and prosperity, for my particular obligation, having been sometimes a fellow and student, (or, to confess a truth), a trewand in that most honourable college." Master George Sallterne, who is mentioned in Howe's Chronicle as one to whom the author was beholden in the furtherance of his work, was also a member of the Middle Temple.

\* Fuller's 'Worthies.'

Richard Crompton, author of a work on the 'Jurisdiction of Courts, 1594,' was of the Middle Temple, and John Latch, the author of the 'Reports, temp. Car. 1.,' was also a barrister of this Inn.

The unfortunate Sir Thomas Overbury, who was poisoned\* in the Tower of London, in the reign of James I., had been a student in the Middle Temple; his father, Nicholas Overbury, having been a bencher of this house, and reader in the forty-third year of the reign of Queen Elizabeth.

Sir James Whitelock, a learned lawyer and antiquary, was born in London, 28th of November, 1570. He was educated at Merchant Taylors' School, was elected a scholar of St. John's College, Oxford, and, after taking his degree in civil law in that university, became a student in the Middle Temple. In 17 Jac., he was the Autumn reader of this society, in which year he was elected Member of Parliament for Woodstock, and received the honour of knighthood. In 1620 he was appointed Chief Justice of Chester; and, in Trinity Term, in the same year, was called to the degree of Serjeant-at-law. Four years afterwards he was constituted a Justice of the King's Bench. King Charles I. said of him, that he was "a stout, wise, and learned man, and one who knew what belongs to uphold magistrates and magistracy in their dignity." He died 22nd of June, 1632. An essay, from his pen, on the An-

\* See the 'Great Oyer of Poisoning,' by A. Amos, Esq., barrister-at-law, &c.

tiquity of Places for the study of Common Laws, is in 'Hearne's Discourses.'

Bulstrode Whitelock, the author of 'the Memorials,' and son of Justice Whitelock, was also a student of the Middle Temple. He was one of the principal managers in the magnificent masque presented by the Four Inns of Court to King Charles I., at Whitehall, described in another part of this volume. Whitelock was one of the three Lords Commissioners of the Great Seal, during the Commonwealth, in which capacity he delivered his very learned address to the Serjeants who had been called to the degree of the coif, by order of the House of Commons; among whom were Mr. Coniers and Mr. Puleston, of the Middle Temple.

Sir Edmund Saunders, Lord Chief Justice of the Court of King's Bench, towards the close of the seventeenth century, and the author of the well-known 'Reports,' was a member of this inn. He was originally, it is said, a strolling beggar about the streets, without known parents or relations. He was taken notice of by an attorney in Clement's Inn, and by him was taught to write, and was afterwards employed in copying. Young Saunders took every opportunity of improving himself, by reading such books as he could borrow, and ultimately entered the Middle Temple, and was called to the bar. According to North, and others, his manners were coarse, and his personal habits repulsive, to the close of his life.

Henry Ireton, the Cromwellian general, was a member of this inn. Anthony à Wood says that, at Oxford, he had the character of being "a stubborn and saucy fellow towards his seniors," and that at the Middle Temple he learned some grounds of the common law, and became "a man of working and laborious brain." Ireton was accounted the best prayer-maker and preacher in the army.

Sir Simonds d'Ewes, Bart., was a barrister of this society; and, in his autobiography, gives a very particular account of the manner of study in the Inns of Court and Chancery, in the reign of Charles I., to which allusion has already been made.

Francis North, Solicitor-General, and afterwards Lord Keeper Guildford, was a member of the Middle Temple, being called to the bar, in this society, in 1661. His reading on the statute of Fines has already been noticed. While he was reader he gave a grand feast in the Middle Temple Hall, which was attended by Sheldon, Archbishop of Canterbury, and the grandees of the court, and which is described by his brother, Roger North, who was also of this society, as a scene of "debauchery, disorder, and waste." Francis North was the last of the readers in the Middle Temple, who gave these extravagant banquets, and was on this account called *ultimus heroum*.

Philip Yorke, first Earl of Hardwicke. One of the six full-length carved figures on the screen in the New Hall of *Lincoln's Inn* represents this pre-eminently

great man. He was the son of an attorney, at Dover, and was born 1st of December, 1690. After leaving school, he was placed in the office of Mr. Salkend, a solicitor, in London, of extensive practice. Mr. Salkend, discerning his promising abilities, induced him to prepare himself for the bar. On the 29th of November, 1708, he entered the Middle Temple, and on the 27th of May, 1715, was called to the bar. On the 10th of February, 1720, he was called to the bench in the Middle Temple, and in the following year was Treasurer and Autumn reader of this house.\* While a student, he became acquainted with Mr. Parker, one of the sons of Lord Chief Justice Macclesfield, and he was eventually employed by Lord Macclesfield as tutor and companion to his sons. Immediately on being called to the bar, by the friendly support of Mr. Salkend, and probably of some of his father's connections, at Dover, and by the patronage of the Lord Chief Justice, he forthwith acquired an extensive practice. Four years after his call to the bar, through the influence of Lord Macclesfield, who was now elevated to the woolsack, he was elected Member of Parliament for Lewes; in the same year he married Mrs. Lygon, a young widow, niece of Lord Somers and Sir Joseph Jekyl, then Master of the Rolls. In March, 1720, within five years after his call to the bar, he was appointed Solicitor-General. Professional jealousy, roused by the rapid promotion of a young man, by

\* *Ex Regist.* Middle Temple.

palpable favouritism, predicted his failure and speedy downfall. But Yorke was found fully adequate for the duties of his office. Soon after his appointment he was knighted, and in 1724 was appointed Attorney-General. In July, 1724, he was admitted a member of Lincoln's Inn, and on the 4th of November, in the same year, was called to the bench in that society.\* In the following year he was appointed Treasurer of Lincoln's Inn. In 1733, having held the office of Attorney-General ten years, he was appointed Lord Chief Justice of the King's Bench, and was created Baron Hardwicke. He presided three years and a half in the King's Bench, and, on the death of Lord Chancellor Talbot, was appointed Chancellor. For twenty years he held the great seal, dispensing justice throughout that period with the most consummate skill. During the whole time that he presided in the Court of Chancery, but three of his judgments were appealed against, and those were confirmed by the House of Lords. In 1754 he was created Earl of Hardwicke, and Viscount Royston. He held the great seal till the retirement of the Duke of Newcastle's ministry, and died 6th of March, 1764.

Sir William Blackstone, whose "Commentaries," since the date of their publication, have formed an almost indispensable introduction to the study of the law, was a student at the Middle Temple, where he was admitted on the 20th of November, 1741; he was called to the bar on the 28th of November, 1746.

\* *Ex Regist.* Lincoln's Inn.



“He it is,” remarks one of the editors of his works,\* “who first of all institutional writers has taught jurisprudence to speak the language of the scholar and the gentleman; put a polish on that rugged science; cleansed it from the dust and cobwebs of the office; and if he has not enriched her with that precision that is drawn only from the sterling treasury of the sciences, has decked her out, however, to advantage from the toilet of classical erudition; enlivened her with metaphors and allusions; and sent her abroad in some measure to instruct, and in still greater measure to entertain the most miscellaneous and even the most fastidious taste.” Blackstone was, in 1763, chosen a bencher of the Middle Temple, and on the 12th of February, 1770, was called to the state and degree of serjeant-at-law, on his nomination as a Judge of the Common Pleas. He died on the 14th of February, 1780.

The following dates of the admission, call, &c., of other illustrious members of this society,—including some distinguished in the history and literature of this kingdom, and two of the greatest of modern lawyers, the brothers, Lord Stowell and Lord Eldon, whose busts occupy so prominent a place in the hall,—have been extracted for this work from the *Registers* of the Middle Temple:—

\* Lee.

|  | Admitted.      | Called to<br>the Bar. | Called to<br>the Bench. | Reader.                                 | Treasurer.             |
|--|----------------|-----------------------|-------------------------|---|------------------------|
| Lord Clarendon, (Hyde, Edw.)   | 1 Feb., 1626   | 22 Nov., 1633         |                         |   |                        |
| Arthur Onslow, (Speaker.)  | 23 May, 1707   | 15 May, 1713          | 9 Feb., 1727            |   |                        |
| Charles Abbot, Lord Colchester, (Speaker, 1802.)                       | 14 Oct., 1768  | 9 May, 1783           | 12 Feb., 1802           | Lent Reader, 1805                       |                        |
| Lord Somers.   | * 24 May, 1669 | † 5 May, 1676         | 10 May, 1689            | Lent Reader, 1689                       | 1690                   |
| Lord Stowell, (Wm. Scott.)   | 24 June, 1762  | 11 Feb., 1780         | 4 July, 1794            | Lent Reader, 1799                       | 1808                   |
| Lord Ashburton, (J. Dunning,) apptd. Solicitor-General, 27 Jan., 1768. | 8 May, 1752    | 2 July, 1756          | 29 Jan., 1768           | Aut. Reader, 1776                       | 1780                   |
| Lord Kenyon, (Lloyd Kenyon,) made Serjt. 1788.                         | 7 Nov., 1750   | 9 Feb., 1756          | 10 Nov., 1780           | Lent Reader, 1787                       |                        |
| Lord Kenyon, (Geo. Kenyon.)  | 12 June, 1793  | 3 May, 1811           | 28 June, 1811           | Lent Reader, 1815                       | 1823                   |
| Sir J. Jekyll, Mast. of the Rolls, 1717.                               | 30 June, 1680  | 6 May, 1687           | 29 Oct., 1697           | Aut. Reader, 1699                       |                        |
| Lord Eldon, (John Scott.)  | 28 Jan., 1773  | 9 Feb., 1776          | 20 June, 1783           | Lent Reader, 1792                       | 1798                   |
| Sir Robt. Chambers.  | 28 June, 1754  | 22 May, 1761          | 8 Nov., 1799            |   |                        |
| Lord Fred. Campbell.   | 19 Jan., 1750  | 24 Jan., 1754         | 23 Jan., 1789           | Lent Reader, 1796                       | 1804                   |
| Sir Geoffry Palmer, Atty.-Gen., 12 Charles II.                         | 14 June, 1616  | 23 May, 1623          | 1 June, 1660            |   |                        |
| Sir Geo. Wood, made Serjeant 28 May, 1807.                             | 16 Nov., 1765  | 16 June, 1775         | 7 May, 1802             |   |                        |
| Sir H. Gould, made Ser. Mich., 1761.                                   | 16 May, 1728   | 14 June, 1734         | 3 May, 1754             |   |                        |
| Sir Barth. Shower.   | 9 Sept., 1676  | 21 May, 1680          | 25 May, 1688            | Lent Reader, 1688, and Aut. Reader 1691 | 1699                   |
| Sir George Treby, (Recorder of the City of London.)                    | 24 Oct., 1663  | 2 June, 1671          | 28 Jan., 1680           | Lent Reader, 1686                       | 1689                   |
| Lord Guildford, (F. North.)  | 27 Nov., 1655  | 28 June, 1661         | 5 June, 1668            | Aut. Reader, 1671, and Solicitor-Gen.   |                        |
| Sir Thomas Reeve.  |                |                       | 1 July, 1720            | Lent Reader, 1722                       | 1728, Att. Duchy Lanc. |

\* John Somers.

† Sol.-Gen. Wm. and Mary, 1689.

X

## THE LIBRARY.

In the MS. account of the Middle Temple, in the reign of Henry VIII., before referred to, there is the following quaint memorandum:—"They have now no library, so that they cannot attaine to the knowledge of divers learnings, but to their great charges by the buying of such bookes as they lust to study. They had a simple library, in which were not many books besides the law, and that the library, by meanes that it stood alwayes open, and that the learners had not each of them a key unto it, it was at the last robbed and spoiled of all the bookes in it." The students of the Middle Temple of the present day are better provided. They have a handsome library, with a valuable collection of books suitable for lawyers, at the south side of the hall in Garden Court, with windows looking into the garden, and not a murmur to disturb their meditations. All the Inns of Court are now immeasurably beyond what they were in ancient times, in this particular; and as the law, after all, is a science to be mastered by *reading*, the well-stored libraries of the present day—with all the current reports, reviews, magazines, journals, and publications devoted to law, and jurisprudence, statutes, year-books and all the works of the sages of the law—afford facilities to study, which the elder lawyers, who were of necessity compelled to resort more to oral instruction, did not enjoy. The law library of Rastall, J., in the reign of Ph. & M. and author of the

‘ Entries,’ consisted of but xxiii volumes. The library of each Inn of Court now comprises from 6,000 to 10,000 volumes. Mr. Robert Ashley, an ancient barrister of the Middle Temple, was the founder of the present library. There is a portrait of this benefactor in the library, with the inscription *Robertus Ashley hujus Bibliothecæ Fundator*, 1641. On the 29th April, in the year 1642, an order was made by the bench of this society that the books given by the last will and testament of Mr. Robert Ashley should be kept under lock and key till a library were built. A library appears soon afterwards to have been erected; and it has since been augmented by bequests and annual purchases from the funds of the inn.

The parliament chamber of the benchers adjoins the library: it is a pleasant and commodious apartment, also commanding a view of the garden and the river; and contains portraits of the following distinguished members of the Middle Temple,—Sir W. Blackstone, Lord Clarendon, Lord Eldon, Onslow, Abbot, Speaker of the House of Commons, Lord Somers, Dunning, afterwards Lord Ashburton, Lord Kenyon, Sir Thomas Smith, and Sir J. Jeykell, Master of the Rolls. In an adjoining room there is a collection of engraved portraits, representing judges and eminent men who have been members of this inn.

## LECTURES.

At a Parliament holden on the 21st November, 1845, a motion having been made by Master Bethell, of which the notice was as follows, viz:—

“That for promoting the Legal Education of the Students of this House, it is expedient that a Lecturer be appointed for the purpose of reading on Jurisprudence and the Civil Law; and that two or more Exhibitions be founded for the benefit of such Students as shall on examination, previous to their call to the Bar, shew the greatest proficiency in the subjects of such Lectures; and that such Lectures be open to the attendance of Students of the other Inns of Court; and that from and after the First Day of Easter Term, 1846, no Student of this House be called to the Bar who shall not have attended one of such Terminal Course of Lectures; and that the Societies of the other Inns be requested to concur with this Society in the establishment of similar Lectureships in other branches of Law; and that it be referred to a Committee to approve of proper Regulations for carrying the above objects into effect;”

it was resolved and ordered by the bench,—‘That it is expedient that steps be taken for promoting the legal education of the students of this house; and that it be referred to a committee to ascertain and report to the bench the best mode of carrying this resolution and the objects mentioned in the above notice of motion into effect.’

A Committee was accordingly appointed, who, after due consideration, recommended the appointment of a reader on Jurisprudence and the Civil Law, as a step

best adapted for the commencement of a sound and comprehensive system of legal education; having reason to hope that the plan, thus begun, would be followed out and completed by the proceedings of the other societies. One of the recommendations of the committee was as follows:—

“As an additional inducement to attendance at the Lectures, and to exertion at the examination, the Committee propose that two Exhibitions or Prizes of one hundred guineas each should be given by the Society to the two Students, who having diligently attended at least three Terminal courses of Lectures, shall have passed the most meritorious examination. The Committee believe that these Exhibitions will not only prove to be a great incentive to attendance at the Lectures and at the Examination; but that they will also be found of great benefit to many young men of slender means; and the Committee trust that the number of these rewards may be hereafter augmented.”

At a parliament holden on the 16th day of January, 1846, on the motion of Master Bethell,—“It was ordered that the report of the committee on legal education be approved of and confirmed.—And it was ordered that a lecturer be appointed, an examination instituted, and two exhibitions established in the manner and subject to the regulations recommended by the said report.” Since this date lectureships, on various branches of the law, have been established in all the Inns of Court.

## NEW INN.

“This house,” says Dugdale, “having been formerly a common hostelry, or inne, for travellers, and from the

sign of the Blessed Virgin, called the *Our Lady Inn*, became first an hostel for students of the law, as the tradition is, upon the removal of the students of the law from an old inn of chancery, called 'St. George his Inn,' situate near Seacole Lane, a little south from St. Sepulchre's Church, without Newgate, and was procured from Sir John Fineux, Knight, sometime Lord Chief Justice of the King's Bench, for the rent of vi*l.* per annum, by the name of New Inn."

Sir Thomas More was a student in this Inn of Chancery, in the reign of Henry VII., before he was admitted to Lincoln's Inn; and, in the time of Queen Elizabeth, there were eighty students here in term, and twenty out of term.

Sir Simonds d'Ewes makes frequent mention of the moots, which were kept up in this Inn of Chancery during his period of study in the Middle Temple. "On Monday, at night, Nov. 18th, 1622," he remarks in his Diary, "after supper, our reader of New Inn, as he was accustomed in term time, went thither to argue a case, or moot-point, with two students only of the same term, and I, making one, performed the exercise with good success, this being the second public law case I argued. The third, being more difficult than either of the former, soon after followed, on Thursday, the 12th day of December, when I argued a like moot-point, in our Middle Temple Hall, in law-French, after supper, to my good content."

*The Temple Church.*

This elegant structure affords one of the most beautiful specimens of early Gothic architecture in England. Its exquisite lancet windows, fine stained glass, marble pillars, the general design of the Round and Oblong, arched doorway, and the figures of the Knights Templars, have been admired by every person who has visited this celebrated structure; which, thanks to the taste, spirit, and liberality of the two honourable and learned societies of the Middle and Inner Temple, we are now enabled to see restored in all its original splendour and beauty. Worthily to describe the Temple Church would of itself require a volume, and I feel it the less necessary to dwell upon the subject, as its history has recently been ably written by a learned member of the Inner Temple.\* “The Round,” was consecrated A.D. 1185, by Heraclius, patriarch of Jerusalem, on his arrival in England, accompanied by the Grand Master of the Temple, to obtain succour from Hen. II. against the power of the famous Saladin. It was dedicated to the blessed Virgin, and an indulgence of fifty days was granted to those yearly seeking it. The oblong portion of the church was consecrated Ascension Day, 1240, in the presence of the king and many of the nobility, who, on the same day, after the solemnities of the consecration had been completed, were enter-

\* See ‘History of the Temple Church,’ by C. G. Addison, Esq., Barrister of the Inner Temple.



tained at a magnificent banquet, prepared at the expense of the Hospitallers.

The church narrowly escaped the flames in 1666, and was 'beautified,' and a wainscot-screen (now happily swept away) set up in 1682. The south-west part was newly built with stone in 1695. In 1706 the church was whitewashed, gilt, and painted within, and the pillars of the round tower wainscoted. A new battlement and buttresses were added to the south side, and other parts of the exterior were repaired. The figures of the Knights Templars also were 'cleaned and painted,' and the iron work inclosing them was painted and gilt. The east end was beautified in 1707, and again with the north side repaired in 1736, and in 1811. In 1827 the whole south side of the church, externally, and the lower part of the circular portion, internally, underwent a restoration, under the direction of Sir Robert Smirke; and since then the whole of the interior has been perfectly restored.

The length of the choir is eighty-three feet; its breadth sixty feet; the circumference of the Round is one hundred and sixty feet. Before the recent restoration there were several tombs, tablets, and monuments in the church, among others those of Sir Nicholas Hare, Plowden, Selden, Howell, Sir John Vaughan, &c., which have now been removed to the top of the Round. An account of the early monuments are in Dugdale, and in Maitland's History of London. Since the dissolution of the

Hospitallers in the time of Henry VIII., there has been appointed a divine, by the name of the Master, or Custos, belonging to this church, who is constituted by the queen's letters patent without institution or induction.

MASTERS OF THE TEMPLE FROM THE SUPPRESSION OF  
THE HOSPITALLEERS.\*

HUGH DE LITCHFIELD.

WILLIAM LANGHAM.

WILLIAM ERMSTEAD, 1560.

RICH. ALNEY, B.D., 1568.

DR. HOOKER, 1585.

DR. BAYLEY, 1591.

THOMAS MASTER, B.D.

DR. PAUL MICKLETHWAITE.

DR. JOHN LITTLETON, 1638.

MR. TOMBS, 1645,

MR. RICHARD JOHNSON, 1647.

DR. BROWNRICK, Bishop of Exeter, 1658.

DR. GAUDEN, Bishop of Exeter, 1659.

DR. BALL, 1660.

DR. WM. SHERLOCK, Dean of St. Paul's.

DR. THOMAS SHERLOCK, Bishop of Bangor.

DR. SAMUEL NICHOLS, 1753.

DR. GREGORY SHARPE, 1764.

DR. WATTS, 4th June, 1771.

REV. MR. THURLOW, 1772.

REV. WM. PEARCE, 1787.

REV. THOS. RENNELL, 1798.

REV. CH. BENSON, 18th Oct., 1826.

REV. THOS. ROBINSON, 23rd May, 1845.

\* From information politely afforded me in the Treasurer's office, Inner Temple.



## CHAPTER X.

### Gray's Inn.



THIS ancient Seminary of the Law is situated in the manor of Portepole, or Purpoole, near Holborn, in the county of Middlesex; which manor, and the lands thereunto belonging, were the property of the noble family of the Grays of Wilton, from the 22nd year of the reign of King Edward I. until the 21st year of the reign of King Henry VII.; from which circumstance the inn has derived its

name.\* Our legal antiquaries agree in the opinion that, in the reign of Edward III., this inn was the residence of a society of students of the law, whose successors have remained, first as tenants, and subsequently as proprietors there, from that time until the present day. Mr. Sayntlow Kniveton, a person of great knowledge in antiquities,† came to this conclusion, on what he considered good authority, and both Stow and Sir William Dugdale concur in opinion with him. In the MS. in the Lansdown Collection, entitled 'A View of all the Fowre Famous Colledges, or Inns of Court, &c.,' it is asserted that, as early as the reign of Edward III., it was an Inn of Court, and that the students of this society took a grant of it from Baron Grey, who lived in those days. Dugdale mentions that, in his time, the tradition among the ancients of the house assigned pretty nearly the same date to the removal of the society to this locality. The list of readers of the inn, too, exists, in nearly unbroken succession, from the reign of Edward III. All which is confirmed by the record

\* In the old authorities and manuscripts, Gray's Inn is written in various ways; in 'Hall's Chronicles,' and the early entries in the books of the Society it is Greis-Inne; in a MS. Harl. Coll. and in the Masque called 'Certain Devises,' &c. it is Grayes Inn; Greye's Inn, 'Parl. Hist.' Graies Inn is the mode adopted by Lord Bacon, by Cooke in his 'Vindication of the Law,' &c.; and in the 'Masque of Flowers,' Lord Burghley was accustomed to write it Gray's Inn, as it is now universally written.

† 'See Archæologia,' vol. iii., and 'Dug. Orig.' I regret very much my inability to discover his observations on this subject. They do not seem to be extant.

of a post mortem inquisition,\* taken at Holborn, before the Escheator, in the forty-fourth year of the reign of Edward III., on the decease of Reginald de Grey de Wilton. The jurors found that the fee of this *Hospitium* belonged to the said Reginald, and that it, together with the garden appertaining thereto, was then let at a yearly rent of 100s. (centum solidos). The expression, *Hospitium*, employed in the inquisition, seems to point out that the house was then an Inn of Court. In all the former inquisitions, it is described as *Messuagium*; and it appears, from passages in the Year Books already noticed, that, at this date, our legal colleges were styled *Hostels*, in Latin, *Hospitia*; to which the apprentices of the law then resorted.

In Michaelmas Term, 2 Henry IV., A. D. 1400, we find an action of battery, brought by the *Chaplain of Greyes Inn*, against a defendant, who pleaded *son assault demesne*. It is reported in the Year Book of that reign, 40. 41., Markham, pronouncing the judgment of the court on the point of law, brought before them for decision.

In an inquisition taken at Westminster, in the twentieth year of the reign of Henry VI., A. D. 1422, on the decease of Richard Grey de Wilton, it was found that he died, seized in his own dominion, as of fee of the manor of Portpole, in Holborne called Grey's Inne.

\* MS. 'Inquisition and Members of Gray's Inne,' Lib. Gray's Inn.

By an indenture of bargain and sale,\* dated 12th of August, 21 Hen. VII., made by Edmund Lord Grey de Wilton unto Hugh Dennys, Esq., &c., the inheritance of this property passed from the family of Grey, being described in the instrument by the name of the manor of Portpole, otherwise Gray's Inne, consisting of four messuages, four gardens, the site of a windmill, eight acres of land, together with 10s. of free rent, and the advowson of the chantry of Portpole; and this bargain and sale was farther confirmed by a release from the said Lord Grey, &c., unto the said Hugh Dennys, Esq., &c. About eight years subsequently, the manor of Portpole, with the appurtenances, was purchased, in pursuance of licence from the crown, by the Prior and Monks of Shene, near Richmond, in the county of Surrey; and by the said Prior and Monks was demised to the Honourable Society of Gray's Inn, at the yearly rent of 6*l.* 13*s.* 4*d.*, which continued to be paid till the general dissolution of the greater monasteries, 30 Henry VIII., when the king granted the estate to the inn in fee farm.

"It appeareth as well by a Decree in the Co<sup>t</sup> of Augmentaço<sup>ns</sup>, bearinge date the 10<sup>th</sup> of November, in y<sup>e</sup> 33<sup>th</sup> yeare of y<sup>e</sup> Raigne of King Henry VIII., as also by an Exemplificaço<sup>n</sup> thereof, made y<sup>e</sup> 12<sup>th</sup> of November, in y<sup>e</sup> saide yeare, as also by another Exemplificaço<sup>n</sup> thereof granted by y<sup>e</sup> late Queene Elizab., dated at Westminster the 12<sup>th</sup> of February in the fourth yeare of her raigne. That y<sup>e</sup> Treasurer of y<sup>e</sup> Court of Augmentaço<sup>ns</sup>

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\* See 'Dug. Orig.'

of y<sup>e</sup> said revenue of y<sup>e</sup> Crowne for the time beinge, should yearely pay out of y<sup>e</sup> said Revenues to y<sup>e</sup> Treasurer of y<sup>e</sup> house of Grayes Inn, Nigh Holborne, in y<sup>e</sup> County of Midd<sup>x</sup>, for y<sup>e</sup> time beinge y<sup>e</sup> sum of vij<sup>l</sup>. xiiij<sup>s</sup>. iiij<sup>d</sup>., in recompense of a yearely stipend of vij<sup>l</sup>. xiiij<sup>s</sup>. iiij<sup>d</sup>., w<sup>ch</sup> was duely proved before y<sup>e</sup> said Court of Augmentacons, to bee issueing out of y<sup>e</sup> possessions of y<sup>e</sup> late Monastrie of S<sup>t</sup>. Bartholomew in Smithfield, besides London, and of right payable, time out of mind, by y<sup>e</sup> Prior and Convent of the said Monastrie, and their predecessors, for y<sup>e</sup> findinge of a Chaplaine to celebrate divine service in y<sup>e</sup> Chapell of Grayes Inne aforesaid, for y<sup>e</sup> students, Gent<sup>l</sup>, and fellows of y<sup>e</sup> said house, w<sup>ch</sup> said sūme of vi<sup>l</sup>. xiiij<sup>s</sup>. iiij<sup>d</sup>. hath beenn constantly paid and allowed to y<sup>e</sup> Treasurer of Grayes Inne for y<sup>e</sup> time beinge ever since y<sup>e</sup> said Decree out of y<sup>e</sup> revenues of the Crowne.

xxvij<sup>th</sup> Feb. 1661.

“ Ex. p Jo<sup>h</sup>em Blomley in absen<sup>e</sup> Aud<sup>r</sup>. ”

|       |   |   |   |   |
|-------|---|---|---|---|
| 1518, | } | Paid to y <sup>e</sup> Prior of Sheene<br>for halfe a yeares Rent<br>due for Grayes Inne, | } | iiij <sup>l</sup> . vj <sup>s</sup> . viij <sup>d</sup> . |
| 1520, |   |   |   |   |
| 1524, |   |   |   |   |

Comit<sup>r</sup> Midd.\*

The coat armour or ensign of honour appropriated to this honourable society:—Azure an Indian Griffin proper sergreant, with the inscription, *Integra lex Æqui custos rectique magistra non habet affectus sed causas jure gubernat.*

The following is a description of this house, which occurs in the replication in a case† reported in 1 Lord Raymond, 594, argued on demurrer, before the Court of King's Bench, Trin. Term, 12 Will. 3:—

\* MS. Harl. 1912, fol. 241.

† Sir Creswell Levintz, treasurer of Gray's Inn, v. Randolph.

“Quod prædictum hospitium Graiense, communiter nuncupatum Gray's Inn, in comitatu prædicto est a tempore diu et longinquo præterito fuit antiquum hospitium curiale et antiqua laudabilis et honorabilis societas generosorum leges hujus regni Angliæ studentium, vocatum an Inn of Court, necnon unum de quatuor societatibus et hospitiiis curialibus vocatis inns of Court, hujus regni Angliæ studentes ad barram et in consiliarios ad legem evocandi proficiendi et allocandi admissi educati et approbati sunt,” &c.

Gray's Inn at present comprises—1. South Square. 2. Gray's Inn Square. 3. Field Court. 4. Gray's Inn Place. 5. Raymond Buildings. 6. Verulam Buildings. 7. The Garden. The chambers are well adapted for study and retirement, commodious, airy, quiet, and healthful, and free from the fogs which are felt so oppressively in the winter season in the neighbourhood of the river. The whole Inn is extra-parochial.\*

\* In the standing orders of the governor and directors of the poor and watch for the united parishes of St. Andrew, Holborn, above the bars, and St. George the Martyr, Middlesex, made pursuant to act of parliament, passed on the 13th of June, 1799, and corrected 25th March, 1815, there is the following order,—“That it is ordered by the governors and directors that he do not take charge of any prisoners or other persons, who may be brought to the watch house by any of the police officers, that being an especial care belonging to their duty; nor from the Court of Gray's Inn, *being extra-parochial* and not within the jurisdiction of these parishes.” These orders were produced in the suits *Selby v. Bardon*, when the question as to whether Gray's Inn was or was not within the above mentioned parishes, was tried. The verdict was that it was not; but had been from time immemorial extra-parochial. The benchers of Gray's Inn as a mark of their approbation of the conduct of their steward, Thomas



This venerable sanctuary of law has been the retreat of many distinguished persons, not members of the society. Shirley the poet lived here; it was sometime the residence of Chapman, the poet; Butler, the immortal author of 'Hudibras,' seems to have had a chamber some time in the Inn, as one of his biographers has supposed that he was a member of the house. Here Arthur Murphy, the dramatist and translator of 'Tacitus,' edited the *Gray's Inn Journal*; and it is deserving of remark that the *Craftsman*, a periodical paper conducted by St. John, Lord Bolingbroke, and Pulteney Earl of Bath, of whom Pope says:—

“How many Martials were in Pulteney lost!”

professed to have been edited by 'Caleb Danvers, Esq., of Gray's Inn.' William Cobbett, M. P. for Oldham, the writer of the famous 'Political Register,' was for some years a clerk in the chambers of a gentleman in this Inn; and the most brilliant of living essayists in early life took up his abode within its gates. Sir William Garrow lived for many years in

Griffith, Esq., during these important trials, presented him with a piece of plate, of the value of fifty guineas, with the following inscription:—

Presented to

THOMAS GRIFFITH, Esq.,

Steward of the Honourable Society of Gray's Inn.

By an order of pension, dated 1st day of July, in the year 1836, as a testimony of the high respect entertained by the Bench of his general services and integrity, and particularly of the indefatigable zeal and industry displayed by him in the course of the two important suits *Selby v. Bardons*, which establish the extra-parochiality of Gray's Inn.

No. 11, Gray's Inn Place, which leads to the gardens. While here some of the decorations of the mantel piece and pillars in the dining-room, were designed for him by the late Sir John Leach, Master of the Rolls, then a young man studying architecture, and entertaining no intention of entering the profession of the law. Sir Allan Chambre afterwards resided many years in the same house. No. 10, Gray's Inn Place was, until the appointment of the Rev. Dr. Shepperd, the residence of the preachers of Gray's Inn; and in No. 2, Gray's Inn Place—one of the houses adjoining the gardens—lived Serjeant Cockell, well known in former times on the northern circuit:—

“ Like a full harvest moon, there next in place  
Shone portly Cockell's honest round red face:  
Clearness of intellect was his, combined  
With vast unbounded native powers of mind.”

The hall, as it at present stands, was re-edified in the reign of Philip and Mary. In the fifth year of King Edward VI., the old hall was seiled with fifty-four yards of wainscot at 2s. a yard, but in the 3 and 4 of Philip and Mary the society found it necessary to re-edify it, and an entirely new roof of oak was erected. Every fellow of the house having a chamber was assessed towards the charge, upon penalty of losing his chamber in case of failing to pay the assessment. The work was finished in the 2 Eliz.; the whole charge being, according to the account of Sir Gilbert Gerard, Knight, then treasurer, 863*l.* 10*s.* 8*d.* This spacious hall has an air

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of grandeur and solemnity about it which is very imposing. The windows contain some fine specimens of painted glass, nearly every pane containing a record of some distinguished member of the house. The roof of oak is divided into six bays or compartments, by seven arched and moulded Gothic ribs or principals. The spandels or spaces are divided by upright timbers, with a horizontal cornice in the centre. At the extremity of the projecting spandels is a carved pendant ornament, partaking of the nature of an entablature. The screen of this hall is supported by six pillars of the Tuscan order, with cariatides supporting the cornice in accordance with the style of ornament prevalent at that time. The hall is also lighted by a handsome louvre, on which was formerly a dial with the motto, *lux Dei, lex Dei*. Paintings of King Charles I., King Charles II., and King James II., Sir Nicholas Bacon, Lord Bacon,\* Lord Raymond, Lord Chief Justice of the King's Bench, are hung up in the hall.

In 35 Eliz. the sum of 100*l.* 3*s.* 4*d.* was contributed by divers particular gentlemen of this house for the building of the gate in Holborn, which seems to have been erected about that time.

The library, which was rebuilt and enlarged in 1839-41, consists of three handsome apartments, ceiled and wainscoted with oak; one appropriated to the benchers and the two larger rooms to the barristers and students of the Society. In this suit of

\* Presented by Basil Montague, Esq., a barrister of this Inn.

rooms there are original portraits of Lord Chief Justice Eyre,\* Sir John Turton, Knight, Baron of the Exchequer,† and afterwards a justice of the King's Bench, formerly a bencher of Gray's Inn, the Rev. Dr. Shephard, preacher of Gray's Inn: in the principal room there is a bust of Lord Bacon. The library contains a complete series of reports from the commencement of the year books to the present day, with a large collection of valuable legal treatises and authorities, and several standard works on the civil law; and also comprises the writings of the Fathers of the Christian Church, and some MS. missals, &c.

We have in another chapter given an account of the masques and revels in Gray's Inn Hall, and of the serjeants' feasts which have always been observed with much formality in this Society. *Festum apud Graye's Inne* is a memorandum which we find frequently attached to the records respecting the creations of serjeants.

On the 8th of November, 6 Edward VI., in pursuance of the acts of the legislature concerning the reformation of religion, an order was made that the pensioner and steward of this house should make sale of certain utensils then being in the said chapel for the behoof of the society; viz.—

One vestment with a cross of red velvet, a holy water

\* Presented by his relative, Harry Edgell, Esq., bencher of Gray's Inn.

† Presented by William Turton, Esq., his descendant, a barrister of this Inn.

stock of brass, two candlesticks, a little bell of brass, a vestment of silk speckt with gold, and a pair of organs.

These being sold there remained, we are informed, in the chapel,—a chalice, a surplice, a bible of the largest volume, a psalter, a book of service, an altar-cloth, a table, a lanthorn of glass, a chest. On the accession of Queen Mary, however, the chapel underwent a fresh transformation; a new altar was erected and all the ornaments and appendages of the service in the Roman Catholic Church were provided; the charges of which were as follows:—

|   | <i>s.</i> | <i>d.</i> |
|---|-----------|-----------|
| Nine ells of holland for three altar clothes,     | . 12      | 6         |
| Seven ells and a quarter of lockram for an albe,  | . 7       | 3         |
| Three-quarters of an ell for a corporas,          | . 0       | 3         |
| Five pieces for the albe and the ephode,          | . 1       | 8         |
| Tape for the ephode and the girdle,               | . 0       | 2         |
| Two crewets,                                      | . 1       | 8         |
| Making of the albe, ephode, towels, and corporals | 1         | 2         |
| 105 foot of oaken board for the altar,            | . 3       | 8         |
| Six double quarters,                              | . 2       | 0         |
| For nayles,                                       | . 0       | 5         |
| For carriage,                                     | . 0       | 6         |
| For making the altar,                             | . 2       | 8         |
| For a painted cloth to hang before the altar,     | . 1       | 8         |
| For hemming the altar clothes,                    | . 0       | 4         |
| For a desk,                                       | . 1       | 0         |

The chapel underwent another change in the following reign. In 11 Eliz., 13 June, it was ordered that a pulpit be erected, that the partition should be removed, and that stalls made according to the discretion of the dean of the chapel; the service of the al-

tar being accommodated to the worship of the English church. In the 17 Jac. I. a proposition was made to re-edify the chapel; and by an order of pension, Sir Ewball Thelwall, Mr. Fleetwood, Mr. Philip Gerard, and Mr. Thomas Jones, were appointed as a committee to consider the subject; but nothing was then done therein. During the last century the chapel was completely modernised. The east window contains the arms of William Juxon, Archbishop of Canterbury, of Gilbert Sheldon, Archbishop of Canterbury, of George Morley, Bishop of Winchester, and Prelate of the Order of the Garter, and Walter King, Bishop of Rochester, successively preachers of this Society. Among other eminent divines who have been preachers of Gray's Inn, may be mentioned Richard Sibbs, D.D., a learned puritan divine, and voluminous writer; Robert Moss, D.D., Dean of Ely, author of several works; Henry Stebbing, D.D., Chancellor of the Diocese of Sarum, Chaplain in Ordinary to his majesty; and his son Henry Stebbing, D.D., many of whose sermons and other writings on divinity have been published.

Stowe, speaking of Gray's Inn Gardens in the time of Elizabeth, says, "these gardens lie open to the air, and the enjoyment of a delightful prospect of the fields." They no longer command a pleasant prospect of the Hampstead Hills; but they are much resorted to in the summer, and afford a delightful contrast to the turmoil and bustle of Holborn.

As late as the year 1754 there was standing in

Gray's Inn Gardens\* on the west side within that space where, in (1798) there was a circle of trees, an octagonal seat covered with a roof which had been erected by Francis Bacon (afterward Lord Verulam) to the memory of his friend, Mr. Bettenham: round the seat outside was the following inscription:—

*“Franciscus Bacon, Regis Solicitor Generalis, Executor testamenti Jeremiæ Bettenham nuper Lectoris hujus hospitii, viri innocentis, abstinentis, et contemplativi, hanc sedem in memoriam ejusdem Jeremiæ extruxit, anno Dom. 1699.”*

Lord Bacon's chambers were in No. 1, Coney Court, which formerly stood on the site of the present row of buildings at the west side of Gray's Inn Square, adjoining the gardens. The whole of Coney Court was burnt down by fire, which occurred in the Inn about the year 1678.

This Society made several efforts to prevent the erection of buildings which would cut them off from the country, the free and interrupted view of which, as well as vicinage to the open fields, they had enjoyed for centuries. The following entry on this subject is interesting, as marking the gradual expansion of the metropolis, and as exhibiting ‘the brutal Scroggs,’ whose memory is associated in infamy with that of Jefferies, in a more harmless employment than that of perverting judgment.

“In pursuance of the Lord High Chancellor of England's † pleasure, declared in an order of the 7th

\* Book of Orders, Gray's Inn.

† ‘Book of Orders, Gray's Inn,’ 1666 to 1730, fol. 279.

of May last, made upon the petition of the said society against Mr. William Skipwith and his servants, his lordship vouchsafed to come upon the Tarras walk of Gray's Inn, and from thence to take a view of Gravel Pit field, lying northward thereof, belonging to the said Mr. Skipwith, and to propose that the said Mr. Skipwith and his assigns should have liberty to erect two ranges of buildings, each of them to consist of fifteen houses at the east end of the said field, viz.:—the one to front eastward from Gray's Inn Lane, and the other to front westward upon the said field; and both the said ranges of buildings, with the gardens or yards to the same belonging, at the south end thereof, next to and parallel to the king's way,\* to contain in the whole depth one hundred feet; and the said range of buildings fronting westward to go in a direct line, and to be continued northwards so as to make an angle at the north end with the other buildings. And that in lieu of such allowance and liberty of building, the said Mr. Skipwith, his tenants, and assigns, should leave the residue of the said field open, with a palisade pale extending the whole length thereof, next to the king's said way south; and that they should agree and be bound, by decree and other legal means, not to erect any sort of structure or building elsewhere upon the said fields. It is ordered that the said proposal made by his lordship, touching the form of Mr. Skipwith building in Gravel Pit

\* One of the streets now bounding Gray's Inn, on the north, is called 'King's Street.'



field aforesaid, be humbly accepted by this society; and that Mr. Solicitor-General, Sir John Otway, Sir William Scroggs,\* and such others of the bench as they shall think fit, do accompany them to attend the Lord Chancellor, and to signify the same to his lordship, and to return the humble thanks of this society to his lordship for the same."

There is a tradition in Gray's Inn, that the bench tables were presented to the Inn by Queen Elizabeth, and that her majesty honoured the society by partaking of a banquet in the hall. On every grand day, 'the glorious, pious, and immortal memory of Queen Elizabeth' is drunk with much formality;—three benchers rise and drink the toast; when they sit down, three others rise, and in this manner the toast passes down the bar table, and from thence to the students' tables. It deserves to be remarked, too, that this is the only toast drunk in the hall; and from the pleasure which Elizabeth derived from witnessing the performances† of the gentlemen of Gray's Inn at her own palaces, and the distinction with which she on several occasions received them, it seems probable that the tradition to which reference has been made is correct, more especially as the Cecils, the Bacons, the Sidneys and other illustrious personages of her court, were members of this house.

\* The arms of Scroggs are in the north window, in the Hall of Gray's Inn, with the inscription:—Guel. Scroggs, Cap. Just. Angl. anno Reg. Carolo Sed. xxx. Annoq. Dni. 1678.

† See chap. 'Inns of Court Masques,' p. 87.

In ancient times it appears to have been no uncommon thing, not only for students, but more sage professors of the law, to *lodge double* in the Inns of Court. At a pension\* held here 9 July, 21 Hen. VIII., John Hales, then one of the Barons of the Exchequer, produced a letter directed to him from Sir Thos. Neville, which was to request him to acquaint the society that he would accept of Sir Christopher Hales then Attorney-General, to be his *bed-fellow* in his chamber in Gray's Inn; and that the entry might be made thereof in their book of their rules. This practice of 'lodging double,' so repugnant to modern customs, was prevalent in even higher circles. Holinshed tells us that "The Lord Scroop was in such favour with the king that he admitted him sometime to be his *bedfellow*;" an allusion to which occurs in Act II. sc. ii. of Shakspeare's play of *King Henry V.*

"Nay, but the man that was his *bed-fellow*,  
Whom he hath cloy'd and grac'd with princely favours.—  
That he should, for a foreign purse, so sell  
His sovereign's life to death and treachery!"

Several orders and regulations were made respecting the office of Reader which in ancient times was one of so much dignity and importance. In the 36 Eliz. an order was set down by the general consent of the visitors as of the Bench of Graye's Inne, "That none shall be called to *read* in regard of antiquity or

\* Dug. Orig., *Ex Regist.* Hosp. Graienis.

course, but such as are men of good sufficiency for their learning, credit, and integrity to serve in the commonwealth. The names of such as have read double, or shall read double, shall be given to the judges, who have promised to give them pre-eminence of hearing, after serjeants, and her majesty's learned counsel, to the end to draw them thereto the more. Every single reader shall continue out his reading until the Friday in the third week, and shall observe former orders touching *moderating of excess in dyet*." Notwithstanding the latter salutary caution the same costliness and extravagance observable at the feasts of the readers of the other inns, seems to have prevailed here. At a pension held 5 May, 16 Eliz., a special order was made that every one thenceforth to be chosen Reader should have allowance of *one hogshead of wine* be the price more or less. On the 5 June, 26 Eliz. it was ordered that no Reader should thenceforth have allowance either of reward or any other allowances in respect of venison for above the number of *twenty brace of bucks, and a lease of stags*, and the same to be spent in the house. And in 28 Eliz. the Reader for that summer was allowed for every week ten bucks 'and no more.' In 4 Aug., 12 Jac., Mr. Thomas Southworth, and Mr. Thomas Athowe, being then readers, the house allowed two hogsheads of wine, which wine and some other allowances of the house, viz. thirty bushels of flour, thirty pound of pepper, reward for thirty bucks and two stags, were equally divided between the said readers. A more particular

account of the readings in this inn is given in the chapter on ancient readings.\*

The manner of performing exercises in the hall was as follows. If it were a whole week the first pleading:—

The first to the jurisdiction.

The second to the person.

The third to the count.

The fourth to the writ.

The fifth to the action.†

“ If it be a broken week the action is to be a replevin or other personal action. The pleadings are to be repeated *memoriter* both within bar and without, or the exercise is not to be allowed. The amerciament for fail of this exercise is forty shillings upon the utter-barrister, to be forthwith recorded by the judges who sit; and if it be performed by deputy the amerciament is twenty shillings, to be also then recorded. The exercises in reading times are in the same manner as in term times. Students under the bar being above three years' standing such student may *tender a cap and a penny* the day before in the hall to the ancient mootman in commons, desiring him to be of his counsel to perform it for him, and such mootman, thereupon, is to undertake and perform the exercise or be amerst the clyents amerciament. The pleadings are to be read by the two young gentlemen who sit, and are to be repeated *memoriter* by him who

\* Vide *supra* page 65.

† See Co. Lit. 303 a ; Lord Raym. 970, Pref. ‘*Doctrina Placitandi*,’ 1 Chitty Pl. 425.

brings in the case, or the moot not to be allowed.”\* These exercises, it appears, like the readings, were frequently attended with banquets and suppers. On the 16 June, 11 Jac., we find an order reciting that whereas these banquets were grown to an excessive charge that thenceforth no suppers, banquets, or charges should be made or spent in respect of any, upon pain that every man offending therein should forfeit five pounds.

Several stringent regulations were made in this, as well as in the other inns, respecting the apparel of the students. On the 16th of June, 16 Eliz., an order was made by the bench, that every person of this society should frame and reform himself, for the manner of his apparel, according to the proclamation then last set forth, and within the time therein limited, else not to be accounted of this house. And that none of this society should wear any gown, doublet, hose, or outward garment of any *light colour*, upon penalty of expulsion. And within ten days following, it was ordered, that none should wear any white doublet in the house after Michaelmas term ensuing. On the 15th of November, 27 Eliz., it was further ordered, that whosoever, being a fellow of this house, did thenceforth *wear any hat in the hall*, at dinner or supper time, he should forfeit, for every time of such his offending, 3s. 4d., to be cast into commons, at the next account, to the use of

\* See ‘Les Cases de Grey’s Inne,’ which contains a collection of points in Norman French, argued in this inn.

the house, without any remission. Again, on the 11th of February, 42 Eliz., an order was made, that no gentleman of this society do come into the hall to any meal, *with their hats, boots, or spurs, but with their caps*, decently and orderly, according to the ancient orders of this house, upon pain for every offence to forfeit 3s. 4d., and for the third offence expulsion. Likewise, that no gentleman of this society do go into the city or suburbs, or to walk in the fields, *otherwise than in his gown*, according to the ancient usage of the gentlemen of the Inns of Court, upon penalty of 3s. 4d. for every offence, and for the third expulsion and loss of his chamber. In Michaelmas Term, 7 Jac. I., it was ordered, that all the gentlemen of this society, except the master of the requests, and the King's Solicitor, should thenceforth *wear caps in the hall*, both in term time and vacation, except for the twelve days of Christmas, upon penalty of 12d. for every default; and the butlers to present such defaults. The orders against appearing in the hall in boots were also repeated; and on the 24th of October, in the following year, it was found necessary to issue another prohibition against boots, that if any gentleman of this society should come into the common hall of this house to breakfast, dinner, or supper, or to hear any exercise of learning, *being booted*, that he should be put out of commons, *ipso facto*, and not to come into commons again until he had done his *congés*. In the 2 Car. I., there was a

farther order, that every gentleman of the society should conform himself to *wear a cap in the hall*, at dinner and supper time, upon penalty of 12*d.* for every default, according to the ancient rules of this house.

The following rules, 'touching civilities, behaviour, misbehaviour, contempts, punishments, &c.,' were placed in a tablet, for the perusal of all members of the society, 6th of March, 1629.

TOUCHING CIVILITIES, BEHAVIOUR, MISBEHAVIOUR, CON-  
TEMPTS, PUNISHMENTS, ETC.

That civility and due respect be used by every Fellow of the Society to the Readers and Ancients and other his Seniors, upon pain of amerciamment.

That such Fellows of the Society as come to commons in the hall, or to exercises, or to pension, come in their gowns or be amerst.

That no Fellow of the Society pass up or down the hall, or from place to place there, with his hat on his head when the society is at meals, or exercises, or other public occasions.

That no Fellow of the Society stand with his back to the fire.

That no Fellow of the Society make any rude noise in the hall at exercises, or at meal times.

That no Fellow of the Society, under the degree of an Ancient, keep on his hat at readings, or moots, or cases assigned.

That if any Fellow of the Society being summoned to attend pension, to answer to any matter laid to his charge, and shall wilfully refuse to come, he is to be amerst for his first offence, and for his second offence expelled.

That in all cases of wilful contempts by any Fellow of the Society against the orders of the house, and of

opposition to the execution of the penalties, the punishments are :—

|                                |   |  |
|--------------------------------|---|--|
| As the cases shall<br>require, | { | Amerciament.                               |
|                                |   | Screening his name.                        |
|                                |   | Coming in with <i>congees</i> .            |
|                                |   | Loss of chamber.                           |
|                                |   | Prosecution by Pension Writ.               |
|                                |   | Prosecution by Warrant from the<br>Judges. |
|                                |   | Suit upon his bond.                        |
|                                |   | Expulsion.                                 |

On the 30th of January, 40 Eliz., it was ordered that to avoid disturbance and confusion of service, every gentleman of this house, not being of the third table, who should thenceforth go down to the dresser, either to fetch his own meat or change the same, or not presently to sit down to his meat when the servants have messed him, or *take meat by strong hand* from such as should serve him, to be put out of commons, *ipso facto*.

The following order was made on the 6th of February, 29 Eliz.:—"that the third butler should be at the carrying forth from the buttery and also at the distribution of the alms, thrice by the week at Greyes Inne Gate, to see that due consideration be had to the poorer sort of aged and impotent persons, according as in former times he had used to do; and an allowance was made to the pannyer-man and under cook, to the end the whole of the broken bread and almes-basket might go to the relief of the poor."

Celibacy seems to have been honoured as a virtue



in certain stations in this society. On the 20th of June, 41 Eliz., it was ordered thenceforward no officers of this house, should keep or enjoy their offices any longer than they should keep themselves *sole and unmarried*, excepting the steward, the chief butler, and the chief cook. And in the same year it was resolved that a reader in divinity to the Inn be elected; that he be a man *unmarried*, and having no ecclesiastical living other than a prebend without cure of souls or readership in any other place; and that he should keep the same place during his continuance *unmarried* and not being preferred to any ecclesiastical living or other readership, and no longer. On the 30th of October, 21 Jac., an order was made that *all women should be barred from the chapel at sermons*; and according to another order of the bench, no laundresses or women called victuallers, were to be permitted to come into the gentlemen's chambers of this society, unless they were full forty years of age; nor maid servants admitted into the said gentlemen's chambers, upon penalty, for the first offence, that he that should admit of any such, be put out of commons, and for the second, be expelled the house.

The first reader of this Inn whose name is recorded\* is William Shipwith, whose name occurs in the early year books. He, together with John de Moubray, was summoned by King Edward the Third, in the

\* MS. Lib. Gray's Inn; *ibid.* Harl. MS. with coats of arms illuminated.

year of our Lord 1355, to the rank of King's Serjeant-at-law. In the year 1360, 34 Edw. III., he was constituted a Justice of the Common Pleas, and in 1363 was created Chief Baron of the Exchequer. On the appointment of Skipwith and Moubray as Justices of the Common Pleas, they had the following parcels delivered to them for their robes, &c., in order to the reception of the degree of knighthood, as bannerets at the Feast of the Nativity, viz.:—

1. Each of them ten ells of cloth marbrune, mixt, long in grayn.

2. Ten ells of green cloth, mixt, long, of Brucells.

3. A cloak of a hundred and twenty bellies of miniver, pure.

4. Two furs, each of seven tires of miniver, pure.

5. Two furs of silk, each of them seven tires.

6. Two furs of popre, two hoods, each of thirty-two bellies of miniver, half pur.

7. Six ells of russet cloth, long, for making of one cote and hood for the vigils.

8. Six ells of green tartarin streked.

9. Two cloth of gold sigastons.

10. One piece of fine linnen ynde beaten.

11. Two pieces of Lombardie cardie.

12. And twenty-four pieces of Paris linnen cloth.

Sir Robert de Ashton, or Asheton, who was constituted Lord High Treasurer of England on the 26th September, A. D. 1376, in the 49th Edward III., was, it appears, a student in Gray's Inn.\* He is described as "Admiral at sea, Chief Justice of Ireland, and Lord High Treasurer of England."

\* MS. Gray's Inn. The names of twenty-six members of this family are on the books.

The next member of this society whose name is remembered is John Markham, one of the Judges of the Common Pleas. Having filled the office of reader in Gray's Inn, Markham was in the year 1391 called to the degree of a serjeant-at-law, and on the 7th July, 1397, was constituted one of the Justices of the Common Pleas, by King Richard II. He was probably the father of John Markham, the Lord Chief Justice of England, who was distinguished for his honest and fearless opposition to the wishes of the crown. The younger Markham was also a member of this inn; and his arms are yet preserved in the north-east window of the hall. On the 6th of February, A. D. 1444, in the 22 Henry VI., he was constituted one of the Justices *ad Plac. coram Rege*; and on the 13th May, A. D. 1462, was created Lord Chief Justice by King Edward IV. Stow informs us, "And because that Sir John Markham, then Chief Justice, determined somewhat against the king's pleasure, that the offence done by Sir Thomas Cooke (who was arraigned at the Guildhall, on a vague charge of treason) was no treason, but misprision, the which was no desert of *death*, but to be *fined* at the king's pleasure; the Lord Rivers and the Duchess of Bedford, his wife, procured that he lost his office afterwards." Lord Coke enumerates Sir John Markham as one of the famous and expert sages of the law in the time of Littleton.

Contemporary with the elder Markham, among the students of Gray's Inn, was William Gascoyne, the

illustrious Lord Chief Justice, whose character has been immortalized by poets, historians, and painters. Gascoyne was one of the readers of this house,\* and in the year 1398, was called to the degree of king's Serjeant-at-law. On the 15th November, 1401, he was constituted Chief Justice of the King's Bench. His arms are still preserved on the window in Gray's Inn Hall, which contains the arms of other members of the society who have filled the office of chief justice, and held the great seal. The arms are argent, on a pale sable, a demy-luce Or. An engraving of the arms is given by Sir William Dugdale, in his collection of the heraldic memorials of this Inn, and in an ancient MS. in the Harleian Collection, among a miscellaneous collection of coats of arms, sketched in pen and ink, there is a sketch of the arms of Guel. Gascoyne, *In hospitio vocat. Graye's Inne*. Sir William Gascoyne's general conduct as a judge would have entitled him to be classed among chief justices of the first merit; †. but one act of his life distinguishes him as the most independent judge that ever presided in the judgment seat. "It happened," says Eliot, in his 'Chronicle,' that a servant of Prince Henry (afterwards the fifth English king of that Christian name) was arraigned before this judge for felony, whom the prince, then present, endeavoured to take away, coming up in such fury, that the beholders believed he would have stricken the judge. But he sitting without moving, according

\* MS. Harl. ; ibid. MS. Lib. Gray's Inn. † Palmer, 396.

to the majesty he represented, committed the prince prisoner to the King's Bench, there to remain until the pleasure of the prince's father were farther known. Who, when he heard thereof by some pick-thank courtier, who probably expected a contrary return, gave God thanks for his infinite goodness, who, at the same instant had given him a judge who could minister, and a son who could obey justice."\* The reader will recollect the somewhat different version of the circumstance given by Shakspeare in the second part of *Hen. IV.*, act 5.† Sir Henry Spelman de-

\* See also 3 Inst 225, Hall Chron. 543 a.

† *King Henry V.* How might a Prince of my great hopes forget  
So great indignities you laid upon me?  
What! rate, rebuke, and roughly send to prison  
The immediate heir of England! Was this easy?  
May this be wash'd in Lethe and forgotten?

*Chief Justice.* I then did use the person of your father;  
The image of his power lay then in me!  
And in the administration of his law,  
Whiles I was busy for the Commonwealth,  
Your highness pleased to forget my place,  
The majesty and power of Law and Justice,  
The image of the King, whom I presented,  
And struck me in my very seat of judgment;  
Whereon, as an offender to your father,  
I gave bold way to my authority,  
And did commit you. If the deed were ill,  
Be you contented, wearing now the garland,  
To have a son set your decrees at nought;  
To pluck down justice from your awful bench;  
To trip the course of law, and blunt the sword  
That guards the peace and safety of your person:  
Nay, more; to spurn at your most royal image,  
And mock your workings in a second body.

Question

scribes Gascoyne as "*Romanæ ille fortitudinis iusticiarius.*"

"While dauntless Gascoyne from the judgment seat,  
To *Justice* dares make princely pow'r submit :  
Dares tame by law, him who all law could break,  
And to a hero raise a royal rake,  
Whilst we such precedents can boast at home,  
Keep thy Fabricius and thy Cato, Rome.\*

Sir William Gascoyne died on the 17th of December, 1413, and was buried at Harewood Church, between Leeds and Knaresborough, in which parish he was born. It deserves to be noticed that in the same church the remains of Sir Thomas Denison, a Judge of the Court of Queen's Bench, who died in the year 1765, are interred; being placed, as the

Question your royal thoughts, make the case yours,  
Be now the father and propose a son :  
Hear your own dignity so much profan'd,  
See your most dreadful laws so loosely slighted,  
Behold yourself so by a son disdain'd ;  
And then imagine me taking your part,  
And in your power soft silencing your son :  
After this cold consideration, sentence me ;  
And as you are a King, speak in your state,  
What I have done that misbecame my place,  
My person, or my liege's sovereignty.

*King.* You are right, Justice, and you weigh this well ;  
Therefore still bear the balance and the sword.

\* \* \* \*

You did commit me:

For which I do commit into your hand  
The unstain'd sword that you have us'd to bear ;  
With this remembrance—that you use the same  
With the like bold, just, and impartial spirit  
As you have done 'gainst me.

\* Epigram, Biog. Brit.

inscription on his tomb states, "at his express desire, near the Lord Chief Justice Gascoyne, who, by a resolute and judicious exertion of authority, supported law and government, in a manner which has perpetuated his name, and made his example famous to posterity."

William Boothe, Archbishop of York, A. D. 1453, was originally bred to the profession of the law in Gray's Inn. Having, however, been offered a preferment in St. Paul's Cathedral, he abandoned the law and took holy orders. He was next consecrated Bishop of Lichfield, and was subsequently translated to the archiepiscopal See of York. He died in 1464.

The next reader of Gray's Inn, after the Lord Chief Justice Gascoyne, was Thomas Tildesley, who, in the year 1403, in the third year of the reign of Hen. IV., was created king's serjeant-at-law, together with John Colpepper, also of this society; who, having filled the office of reader, was constituted one of the Justices of the Common Pleas, on the 17th of May, 1406. The reader whose name is next mentioned, is William Cheyne, or Cheney, who, in the year 1411, was summoned to the state and degree of a serjeant, and who, having served as a Justice of the King's Bench, was, on the 21st of January, 1424, elevated to the distinction of *Capitalis Justiciarius*. A descendant of this judge, Henry, afterwards Lord Cheney was admitted on the 21st of January, 1562. John Martin, serviens, A. D. 1411, Justiciarius de Banco, A. D. 1423, and John Hals, or Hales, succes-

sively Justice of the Common Pleas, and Queen's Bench, to the taking of which offices he was appointed A. D. 1424, were also readers in this inn. Among the other readers of Gray's Inn, at an early period, who occupied seats on the bench, were William Yelverton, 1444; Walter Moyle, 1454, Lord Chief Justice of the King's Bench; Thomas Billing, 1469; Thomas Brian, Lord Chief Justice of the Common Pleas. Lord Coke enumerates the three last-mentioned, among the luminaries of the law contemporary with Littleton; and the decision of Chief Justice Brian, that if a tenant by custom, paying his services, be ejected by the lord, he shall have an action of trespass against him, which established the independence of the copyholder, is quoted by Littleton, sec. 77.

READERS OF GRAY'S INN, AFTERWARDS JUDGES.

Wm. Hussey, Knt., Chief Justice of the King's Bench, 1482.

Humphrey Starkey, Capt. Bar. Sacc., 1481.

John Petitt, Baron of the Exchequer, 1528.

John Spelman, Justice of the King's Bench, 1533.

John Hind, Justice of the Common Pleas, 1544.

Christopher Hales, Knt., Master of the Rolls, 1537.

Richard Sackville, Canc. Curiae Augment., 1530.

Edmund Molineux, Knt., Justice of the Common Pleas, 1550.

James Hales, Knt., Justice of the Common Pleas, 1549.

Thomas Moyle, Knt., Speaker in Parliament, 1542.

William Coke, Justice of the Common Pleas, 1554.

William Dallyson, Justice of the King's Bench, 1559.

John Birch, Baron of the Exchequer, 1562.



- Gilbert Gerrard, Knt., Master of the Rolls, 1581.  
 John Jeffereys,\* { Justice of the Queen's Bench, 1576.  
                           { Chief Baron of the Exchequer, 1577.  
 William Gerrard, Chancellor of Ireland, 1578.  
 Francis Roodes, Justice of the Common Pleas, 1584.  
 Robert Shute, Justice of the King's Bench, 1584.  
 John William Daniel, Justice of the Common Pleas, 1603.  
 James Altham, Baron of the Exchequer, 1606.  
 Edmund Pelham, Chief Justice of Ireland, 1606.  
 Henry Yelverton, Justice of the Common Pleas, 1602.  
 Thomas Chamberlain, Justice of the King's Bench, 1624.  
 Humphrey Davenport, Chief Baron of the Exchequer,  
 1630.  
 Robert Shute, Recorder of London, 1620.  
 Fras. Crawley, Knt., Justice of the Common Pleas, 1632.  
 John Banks, Chief Justice of the Common Pleas, 1640.  
 Francis Bacon, Justice of the King's Bench, 1642.  
 Roger Wilbraham, Knt., Solicitor-General of Ireland,  
 1599; Mag. Curiae Supplic. Libellorum.  
 Peter Feasant, Justice of the Common Pleas, 1644.  
 Edm. Rene, Knt., Justice of the Common Pleas, 1638.  
 Clement Spelman, Baron of the Exchequer, 1662†.  
 John Archer, Knt., Justice of the Common Pleas, 1663.  
 William Jones, Knt., { Solicitor-General, 1673.  
                               { Attorney-General, 1675.  
                               { Ancient, 1662.  
 Thomas Holt,‡ { Bencher, 1671.  
                           { Reader, 1674.  
                               { Admitted, 1640.  
                               { Barrister, 1650.  
 William Gregory,§ { Ancient, 1667.  
                           { Bencher, 1673.  
                           { Reader Aut., 1675.

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\* A lawyer of great eminence, temp. Eliz. Co. Lit. Proœm.

† After the Restoration.

‡ Father of Sir John Holt, Lord Chief Justice.

§ This is the last of the Readers mentioned in the MS.

Among the worthies, whose arms decorate this hall, is to be placed Anthony Fitzherbert, Lord Chief Justice of the Court of Common Pleas in the reign of Henry VIII., the most distinguished writer on the laws of England, who flourished in the sixteenth century. He was the author of the celebrated book, 'De Natura Brevium,' and wrote a laborious *Abridgement of the Laws, contained in the Year Books, &c.*, and an index thereto:—"monuments," as Fuller remarks, "which will longer continue his memory than the flat blue marble stone in Norbury church, under which he lieth interred." Fitzherbert was one of the lords who drew up the articles of impeachment against Cardinal Wolsey, which concluded by praying the king, "that he be so provided for, that he never have any power, jurisdiction, or authority, hereafter to trouble, vex, and impoverish the Commonwealth of this your realm, as he hath done heretofore, to the great hurt and damage of every man, almost high and low." Fitzherbert was descended from an ancient family, long resident in Derbyshire, and was the son of Robert Fitzherbert, of Norbury, in that county. According to Wood, he was educated at Oxford. He filled the office of reader, in Gray's Inn, as appears by the MS. list of readers. In Michaelmas Term, 2 Hen. VIII., he was advanced to the degree of Serjeant-at-law. In the year 1517 he was constituted one of the King's Serjeants, and received the honour of knighthood, and in 1522 was appointed a Judge in the Court of Common Pleas. He died A. D. 1538.

Sir William Staunforde, or Stanford, for the name is spelt differently, one of the most eminent lawyers of the sixteenth century, and a Justice of the Common Pleas, is described by Lord Coke, as 'a man excellently learned in the common law.' He was the son of a mercer of London, and was born in the year 1509, at Hadley, in Middlesex. "He received," says Wood, "so much literature among the Oxonians, that enabled him sooner than any other person to conquer the rudiments of the municipal law." He was admitted a student of Gray's Inn, in 1528, and attained the degree of barrister in 1530; he was created an ancient of the society in 1536, Autumn reader 1546; (sed nulla Lectura causa infectionis;)\* he was chosen double Lent reader in 1551, was advanced to the state and degree of Serjeant in 1552, was constituted Queen's Serjeant in the following year, by Queen Mary. In Michaelmas Term, 1554, he received the honour of knighthood, and was appointed one of the Justices of the Court of Common Pleas, which office he continued to fill till his death, on the 25th of August, 1588. His remains were buried at Hadley Church. His principal works are *Placita Coronæ*, and an *Exposition of the King's Prerogative*; the English copy of which

\* In the MS. list of members of Gray's Inn, the 'Chronica Series' of Dugdale, and the Preface to Lord Coke's Reports, part x. he is called *Stamford*; in Wood's 'Athenæ Oxonienses' his name is written *Staunford*; but in the original editions of his works his name is given as *Staunforde*, which, therefore, seems to be the correct manner of writing the name.

is inscribed to 'his singular friende, Nicholas Bacon,' the dedication being dated from Grey's Inne."

In the great movement, at the period of the Reformation, some members of Gray's Inn were prominent actors. The lawyers, as a body, were, at all times, decided opponents of the extravagant and illegal pretensions of the clergy, and, on several occasions, boldly denied their claims to an authority, *jure divino*, paramount to the laws of the land. In the parliament held 21 Henry VIII. the first blow was struck which 'opened the door' of the Reformation in this kingdom. Three bills were sent up by the commons to the upper house restraining unreasonable fees for the probate of wills, mortuaries, pluralities, nonresidence of the clergy, &c.; preventing them from taking farms, and obliging them to confine themselves to their spiritual functions. These bills, according to Burnett, contained many 'mortifying regulations;' and we learn, from Hall, that while the commons were 'in sore debate' on these bills, Fisher, Bishop of Rochester, addressed the peers and charged the house of commons with 'lacke of faith.' Fisher's speech is printed in 1 Parl. Hist. It roused the commons to still more vigorous opposition; and a member, whose name is not mentioned either by Hall or Lord Herbert, but who is described as 'a gentleman of Greye's Inne,' addressed the house in answer to the bishop's aspersion of 'lacke of faith' in what was considered a speech of unprecedented boldness. Before this speech, we are informed, no man

was bold enough to attack the Church in parliament, for certain ruin would have fallen on any one 'who durst once presume to attempt anything contrary to their profite and advantage.' The speech of 'the gentleman of Greye's Inne' is also to be found in 1 Parl. Hist. After this address the house of commons resolved to prefer a formal complaint to the king against Bishop Fisher for charging them with 'lacke of faith.' Sir Thomas Audley, and, according to Hall, other learned men in the law being of the commons, 'took much payne' on this occasion; and the Bishop received a caution from the king to be henceforth more guarded in his speeches.

At a pension of the bench of Gray's Inn held 16th May, 31 Henry VIII., the king's command that all images of Thomas à Becket, Archbishop of Canterbury in the reign of Henry II., should be removed from all churches and chapels, was taken into consideration, and it was ordered that Edward Hall, then one of the readers of this inn, should take out a certain window in the chapel of this house, "wherein the picture of the said archbishop was *gloriously* painted," and place another in its stead descriptive of Christ praying on the mount. This Edward Hall was the well known historian, the author of the 'Chronicles,' which furnished the foundation of so many dramatic productions in the reign of Queen Elizabeth. He was for many years judge in the Sheriff's Court, and died at an advanced age in the year 1547.

Another individual, conspicuous at this period, was Thomas Cromwell, afterwards Earl of Essex. He was of humble extraction, and owed his advancement to his admission into the household of Cardinal Wolsey who recognised his abilities, and rewarded his devotion, and to whom he is said to have acted as law adviser. The reader will recollect the fallen statesman's well known apostrophe:—

“ Oh, Cromwell, Cromwell,  
Had I but serv'd my God with half the zeal  
I serv'd my king, he would not in my age  
Have left me naked to mine enemies.”

Cromwell was admitted of Gray's Inn, A. D. 1524; in ten years afterwards he was one of the ancients of the society; in the year 1535 he was advanced to the offices of Secretary to the Privy Council, Chancellor of the University of Cambridge, Master of the Rolls, and Lord Privy Seal. He was known to be favourably disposed towards the new doctrines:—

*Bishop Gardiner.* Do I not know you for a favourer  
Of this new sect? Ye are not sound.

*Cromwell.* Not sound?

*Gar.* Not sound, I say.

*Crom.* Would you were half so honest!

Men's prayers then would see you, not their fears.

*Gar.* I shall remember this bold language.

*Crom.* Do.

Remember your bold life, too.\*

Cromwell was successively created visitor-general of

\* Hen. VIII. act v. scene i.

English monasteries, Baron Cromwell and Vicar-General and Vicegerent, in all religious matters the next in authority to the king, who had declared himself supreme head of the Church. In 1537 he was appointed Chief Justice of all forests beyond Trent, and was elected Knight of the Garter. In the following year he was made Constable of Carisbrook Castle, and finally was created Earl of Essex, and Lord Chamberlain of England. His great wealth and accumulated honours excited public discontent; the clergy viewed him as their deadly enemy, and to the nobility he was odious on account of the meanness of his birth. Having fallen into disfavour with the capricious tyrant who had elevated him, on the 10th of June, 1540, he was committed to prison. He was impeached before parliament, the articles accusing him of being 'the most false and corrupt traitor and deceiver that had been known in that reign,' of being a 'detestable heretic,' and of having acquired 'innumerable sums of money and treasure by oppression, bribery, and extortion.' He was not allowed to answer these charges in open court; and was sentenced to be beheaded. He was executed on the 28th of July, 1540, at Tower Hill. Cromwell's arms are yet preserved in the hall of Gray's Inn.

Cromwell's great adversary, Stephen Gardiner, Bishop of Winchester, and Lord Chancellor of England, was also of Gray's Inn. Having studied the civil and canon law at Trinity Hall, Cambridge, he appears to have entered Gray's Inn, as churchmen and noble-

men were formerly accustomed to do, for the purpose of acquiring some knowledge of our municipal laws. Gardiner was a man of great ability, and it is impossible not to admire his inflexible courage and adherence to his principles under the most trying circumstances; but he was ambitious, unscrupulous, and revengeful, even to blood. He died Nov. 12th, 1555.

The name of Whitgift, the third primate after the Reformation, distinguished for his learning, piety, and integrity, is also entered on the books of Gray's Inn: he was admitted on the 10th of March, 1592. Fuller describes him as 'one of the worthiest men that ever the English hierarchy did enjoy.' He was a patron of learning. His influence obtained for Hooker the mastership of the Temple; and in gratitude for previous favours Hooker dedicated his great work on 'Ecclesiastical Polity' to the archbishop.

Whitgift's successor in the archiepiscopal see, Richard Bancroft, was admitted of Gray's Inn, 27th of February, 1588. His character is summed up as 'a learned controversialist, an excellent preacher, a great statesman, and a vigilant governor of the church.' Among his other preferments, before his elevation as Archbishop of Canterbury, he held the rectory of St. Andrew's, Holborn.

The next clergyman among the Society of Gray's Inn is the learned and illustrious James Usher, the distinguished Irish prelate, Archbishop of Armagh, whose father was one of the Masters in Chancery, and



Recorder of the City of Dublin. He was admitted 26th of January, 1623. In 1647, Usher was chosen preacher to the Society of Lincoln's Inn: he resided in chambers in the inn, and during eight years regularly preached there in term.

Another of the ornaments of the English church connected with this inn (admitted 16th March, 1589) is Lancelot Andrews, Bishop of Winchester, a man whose vast learning, and shining talents, were enhanced by his exemplary piety, gentleness, hospitality, and charitable munificence. Milton has written an elegy on the death of this estimable man.

Another distinguished churchman, whose name appears on the Books of this inn, is Joseph Hall, successively Bishop of Exeter and Norwich, one of the most eminent divines of the English Church, an able controversialist, a polished satirist, and an eloquent preacher. Hall's 'Contemplations,' are still much esteemed for the force and brilliancy of their language, and the fervour of their piety; the modern collection of his works occupies ten volumes, octavo. Hall was born at Ashby-de-le-Zouch, in 1574; he was consecrated Bishop of Exeter, in 1627, and was translated to the See of Norwich, in 1641. He was admitted a member of Gray's Inn, on the 1st of November, 1615, twelve years before his appointment as bishop.

William Juxon, Bishop of London, and afterwards Archbishop of Canterbury, was admitted a member of Gray's Inn on the 2nd May, 1635. This prelate,

it will be remembered, attended the unfortunate King Charles I. on the scaffold, endeavouring to support his royal master while preparing himself for the block, by suitable exhortations. "There is Sir," cried Juxon, "but one stage more, which though turbulent and troublesome, is yet a very short one. Consider, it will soon carry you a great way; it will carry you from earth to heaven; and there you shall find to your great joy the prize to which you hasten, a crown of glory." "I go," replied the king "from a corruptible to an incorruptible crown;" and in a moment afterwards his head was severed from his body by a man in a vizor; another, also masked, held up the head streaming with blood, crying aloud, *this is the head of a traitor!*

Archbishop Laud was also a member of this Inn; he was admitted on the 1st November, 1615. Speak- of Laud, Fuller quaintly remarks, "Indeed, I could instance in some kind of course venison, not fit for food when first killed; and therefore cunning cooks bury it for some hours in the earth, till the rankness thereof being mortified thereby, it makes most palatable meat. So the memory of some persons, newly deceased, are neither fit for a writer's or reader's repast, until some competent time after their interment. However, I am confident that impartial posterity, on a serious review of all passages, will allow his name to be reposed among the heroes of our nation, seeing such as behold his expense on St. Paul's as but a cypher, will assign his other benefac-

A A

tions a very valuable signification; viz., his erecting and endowing an alms-house in Reading; his increasing of Oxford Library with books, and St. John's College with beautiful buildings." He was beheaded Jan. 10th, 1644.

Among other churchmen, who were members of Gray's Inn, were the following\* :—

BISHOPS AND ABBOTS ADMITTED OF THIS SOCIETY.

Lord Abbott of Westminster, A. D. 1520.

Lord Abbott of Furneis, A. D. 1520.

Lord Abbott of Bellow, A. D. 1520.

Abbas beatæ Mariæ, 1520.

Prior Sanctæ Bartholomæi, 1520.

Stephen Gardiner, Bishop of Winchester, and Chancellor of England, 1555.

Doctor Attwater, Bishop of Lincoln, 1520.

Lancelott Andrews, Bishop of Winchester, and Chancellor of the Order of the Garter, admitted 16th March, 1589.

Thomas Morton, Bishop of Coventry and Litchfield, 2 Feb., 1662.

Joseph Hall, Bishop of Exeter, 1 Nov. 1615.

James Usher, Archbishop of Armagh, 26 Jan., 1623.

William Williams, Lord Keeper of the Great Seal, 12 Aug., 1621.

George Morley, Bishop of Winchester, and Prelate of the Garter.

John Dalbon, Bishop of Rochester.

Abraham Fraunce, the learned author of *the Lawiers Logike*, printed A.D. 1588, and many other works, was a student of Gray's Inn, having prior to his admission, studied at St. John's College,

\* MS. *Regist.* Gray's Inn.

Cambridge. He dedicated his work on 'Logike' to the learned lawyers of England, especially the gentlemen of Gray's Inne; and warming with his subject exclaims, "Good God, what a world is this? What an age do we now live in? A sophister in times past was a title of credit, and a word of commendation; now, what more odious? Aristotle, then the father of philosophy; who, now less favoured? Ramus rules abroad, Ramus rules at home, and who but Ramus. Antiquity is nothing but dunsicality, and our fathers' inventions unprofitable trumpery. New-fangled, young-headed, hair-brained boys, will needs be masters that never were scholars; prate of method, who never knew order; rail against Aristotle as soon as they are crept out of the shell. Hereby it comes to pass that every cobbler can cogge a syllogism, every carter crake of propositions. Hereby is logic prophaned, and lyeth prostitute, removed out of her sanctuary, robbed of her honour, left of her lovers, ravished by strangers, and made common to all, which before was proper to schoolmen, and only consecrated to philosophers." Fraunce is unsparing of his censure of lazy lawyers; and lashes the clergy of his day with no small vigour. "When they have wearied menne with reading skarce true English on Sondag, all the weeke after they may plague poore boyes with false Latin in a belfraye. Or else, if the ould parson be not yet dead, they stay a little longer, and vnder a precise cloake of divinitie (notwithstanding they be arch-asses in all humanitie) creepe

in among Batchelers of Artes with crosse caps on their grosse pates, and sheepes skinnnes cast over their lubber-like shoulders, whereof they are more prowde than ever was any foole of his bell and bauble."

William Cecil, Lord Burghley, the great statesman and confidential minister of Queen Elizabeth, who so long guided the affairs of this kingdom with consummate ability, was a member of this inn, and took an active interest in the administration of its affairs, as appears from his collection of papers, to which frequent reference has been made in the course of this work:—

He was admitted a student in the year 1540.

Called to the degree of Barrister, 1541.

Penconer, 1545.

Ancient, 1547.

Knight, 1554.

Secretary of State, 1558.

Baron Burghley, and Lord High Treasurer of England, 1571.

His sons Robert, Earl of Salisbury, afterwards Prime Minister, and Thomas, Earl of Exeter, were also students in this society.

Lord Burghley seems to have taken great pleasure in witnessing the recreations which at certain seasons were observed with so much state in Gray's Inn. His lordship was present at a splendid masque in this hall in 1587, a memorandum concerning which, endorsed in his own hand-writing, is among his lordship's papers, and in 1594, the Lord Treasurer came to see the grand revels of the 'Prince of Purpoole,'

described in a previous chapter. Lord Burghley not only had exact returns of the numbers in Gray's Inn and the other houses, but was furnished with a list, containing the name of every member of this house. He died on the 4th August, 1598, in the seventy-eight year of his age, having held the station of Prime Minister of England for upwards of half a century.

Sir Nicholas Bacon, Lord Keeper of the Great Seal of England, during the first twenty-five years of the reign of Elizabeth, was the first \* of this illustrious family whose name occurs on the admittance book of Gray's Inn. He was the second son of Robert Bacon, of Drinkston, in Suffolk, by Isabel, daughter of John Gage, of Pakenham in the same county, and was born in the year 1510 at Chiselhurst, in Kent. Having studied at Cambridge University, he went abroad for the purpose of finishing his education. In the year 1532 he was admitted a student in Gray's Inn; and in the following year was advanced to the degree of barrister, according to a practice then prevalent. In the year 1536 he was admitted to the degree of Ancient in the society, and in the following year was appointed solicitor to the Court of Augmentations; and nine years afterwards was promoted to the office of attorney of the Court of Wards, having in the year 1550 been created a bencher of Gray's Inn. He adopted the Protestant faith, and during the reign of

\* In the course of about a century I find upwards of thirty persons of the name of Bacon as students of this house.

Mary was excluded from public employment; but in 1559, Queen Elizabeth having dismissed Lord Chancellor Heath, who was, also, Archbishop of York, she placed the Great Seal in the hands of Sir Nicholas Bacon, which he retained till his death, on the 20th of February, 1579.

But the name of which above all others this society is proud, is that of Francis Lord Bacon, the youngest son of Sir Nicholas Bacon. He was born at York House in the Strand, on the 22nd of January, A. D. 1561, and from the earliest childhood gave proof of a superior mind. He entered Trinity College, Cambridge, at the age of twelve years, and the superintendence of his education was given to Dr. Whitgift, afterwards Archbishop of Canterbury. The following are the dates of his admission\* as a student in Gray's Inn, of his various degrees in the society, and of his subsequent promotions:—

Francis Bacon admitted 1576.

Ancient, 21 November, 1576.

Barrister, 27 June, 1582.

Benchet, 1586.

Reader, 1588.

Duplex Reader, 1600.

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\* MS. Gray's Inn. On the 21st November, 1576, the following members of the Bacon family were admitted as *Ancients* of Gray's Inn:—

|                   |   |                                 |
|-------------------|---|---------------------------------|
| Bacon, Nicholas,  | } | admitted some years previously. |
| Bacon, Nathaniel, |   |                                 |
| Bacon, Edward,    |   |                                 |
| Bacon, Anthony,   | } | admitted on the same date.      |
| Bacon, Francis,   |   |                                 |

Knight, 1603.

Solicitor-General, 1607.

Attorney-General, 1613.

Lord Keeper, 1616.

Baron Verulam, 1617.

Lord Chancellor, 1617.

Viscount St. Albans, 1620.

Under the head of Ancient Readings an account is given of Lord Bacon's Readings in the hall of this society; and in our sketch of the Inns of Court Masques, his name frequently occurs as one of the foremost in promoting those fashionable pastimes. Lord Bacon, at all periods of his life, took a lively interest in the welfare of the Inns of Court, in which he exerted himself to promote wholesome discipline and sound learning. He was a most active member of Gray's Inn, to which he was especially attached; and as a bencher and reader was diligent in the performance of his duties. Lord Bacon's fame as a scholar has, in some measure, obscured his reputation as a lawyer; but he was thoroughly versed in the principles and maxims of the law, and was endowed with admirable forensic powers. His legal works attest his sagacity, erudition, and industry; and his rhetoric at the bar is admitted to have been of a high order. His errors and foibles, which were, probably, exaggerated by the malice of enemies, have died with him; but his writings will exercise an influence for good on mankind as long as our language lasts; and his 'name and memory,' which he proudly bequeathed 'to foreign nations, and to his country-



men, after some time passed over,' will long be regarded as one of the most valuable inheritances of this ancient and honourable society.

The arms of Sir Christopher Yelverton, an eminent lawyer in the reign of Elizabeth, are in the hall. He was successively Queen's Serjeant, Speaker of the House of Commons, and a Justice of the Queen's Bench. In a collection of letters of this time there is a private note from Sir Walter Mildmay, sometime Chancellor of the Exchequer, to Sir Christopher Hatton, from which it appears that some charge had been preferred to the queen against Yelverton. "He doth assure me," says Mildmay, "that he is utterly guiltless of any of those matters whereof her majesty hath been informed against him, and doubteth not fully to satisfy you when it shall like you to hear him, which my request to you is, that you will vouchsafe to do; for it will be grievous unto him, that her highness should retain any such opinion of him, whereof he hath given no just cause." Mildmay adds, "Touching the matter I wrote of to you, for him, I assure you it was altogether without his knowledge or privy. I remain of opinion as I was, that there is not a fitter man; and, these impediments being removed, I trust her majesty will be his gracious lady." Sir Christopher Yelverton was admitted of Gray's Inn,\* A.D. 1552; advanced to the degree of barrister, 1553; of ancient, 1563; a reader, 1573; duplex

\* MS. From the years 1546 to 1671 there were no less than *fourteen* of this family admitted members of Gray's Inn.

reader, 1584; Queen's Serjeant-at-law, 1589; Speaker of the House of Commons, 1597; Justice of the Queen's Bench, 1602, in 44 Eliz.; knighted, 1603, by King James I. His friend, Sir Walter Mildmay, who is mentioned as a man of excellent judgment, gravity, and wisdom, by Lord Coke, was also a member of this society, having been admitted in the year 1546. Mildmay was the founder of Emanuel College, Cambridge.

Henry, the son of Sir Christopher Yelverton, was, perhaps, the most distinguished of all this remarkable family. He was born at Islington, where his father, who had his chambers at Gray's Inn, had 'country lodgings.' Having studied at Oxford, he removed to Gray's Inn; he was probably admitted in the year 1594.\* Having been called to the degree of barrister, he was elected member of Northampton, in the first Parliament, James I. Mr. Yelverton was, about this time, created Recorder of Northampton; and, in the Lent of 1606, was appointed Reader of Gray's Inn; being then, according to Wood, "accounted a religious gentleman, and a person well read in the municipal laws." Having enjoyed full business, and a high reputation in Westminster Hall, he was, in 1613, made His Majesty's Solicitor-General. Ten days afterwards, the king conferred upon him the honour of knighthood. In 1616 he was created Attorney-General. Having given some offence to the

\* The MS. page containing the entry of his admission; and the dates when he officiated as Reader, &c. are wanting.

king's favourite, the Earl of Buckingham, Sir Henry Yelverton was cited before the Star Chamber, on a charge of having passed certain clauses, in a charter then lately granted to the city of London, "not agreeable to his majesty's warrant, and derogatory to his honour and profit." He was fined 4,000*l.*, and was sentenced to imprisonment in the Tower during the king's pleasure. While a prisoner in the Tower, he was re-elected for Northamptonshire. In April, 1621, charges were preferred against Yelverton, in the House of Lords, accusing him of improper conduct, relating to certain patents. How he replied to these charges, appears by a message from the king to the House of Lords, "that he understands Sir Henry Yelverton, being called here before them as a delinquent, *answered not as such*, but as a judge or accuser of a member of this house, the Lord of Buckingham. And, whereas, in his first speech here, in this house, *he touched the king's honour*, saying he suffered for the patents of inns, or to that effect; he was so far from extenuating the offence, that the last day he had aggravated the same." On the 16th of May, the lords passed the following sentence upon him: "1. That, for his speeches uttered in this court, which do touch the king's majesty in honour, he be fined to the king's majesty 10,000 marks. 2. That he shall be imprisoned in the Tower during the king's pleasure. 3. That he shall make such acknowledgment of his fault, and such submission to his majesty, as shall be prescribed unto him by this court." There is a curious

passage in one of Sir Henry Yelverton's petitions to the king, from the Tower: "Pardon, most merciful sovereign, him, *whom, by misconstruction only*, hath thus long been wrapped and chained in your highnesses displeasure; for, if ever, either by way of comparison or otherwise, any word did ever slip me, either in disgrace or diminution of the state of the *Scotish nation*, I neither wish mercy from God, or grace from your majesty." Buckingham having visited Sir Henry in the Tower, *incognito*, a reconciliation took place, and Yelverton was released from confinement. He returned again to his chambers in Gray's Inn, and resumed his practice at the bar; and in the month of April, 1625, received a warrant from the king, intimating his intention of appointing him a Judge of the Court of Common Pleas. He continued to fill this office till his death, January, 1630. Yelverton's Reports, from 44 Eliz. to 10 Jac. I., were published after his death, by Serjeant Wilde.\*

Sir Henry Finch, Knight, author of the work called *Finch's Law*, which is so frequently quoted by Blackstone, and which, till the appearance of the Commentaries, was usually the first book recommended to the attention of law students, was of this Inn. He was born in the county of Kent, 'of right worshipful extraction.' The names of several of his family are on the books of this society, being, according to Fuller "a family which had, and hath, an

\* Henry Yelverton, probably son of Sir Henry, was *Prince of Purpoole*, in the revels, 1639.

hereditary happiness of eminency in the study of the law." He was admitted in the year 1577. He became Autumn Reader in 2 Jac. I.; was advanced to the degree of Serjeant-at-law on the 11th of June, 1614, and was made King's Serjeant two years subsequently. His work on Law was originally published in French, the author describing himself as 'Henrie Finch, de Gray's Inne, apprentice del ley;' it was afterwards translated by himself.

John, Lord Finch, the son of Sir Henry Finch, was born on the 17th of September, 1584. His name was placed on the books of Gray's Inn in the year 1600. The following is a statement of his various degrees, and subsequent promotions:—

|                              |                            |
|------------------------------|----------------------------|
| Admitted, 1600.*             | Serviens ad legem, 1634.   |
| Barrister and Ancient, 1611. | Capt. Jus. de Banco, 1635. |
| Bencher, 1617.               | Chanc. to the Queen, 1636. |
| Reader, Aut., 1618.          | Lord Keeper, 1639.         |
| Knight, 16—.                 | Baron Fordwich, 1640.      |
| Speaker in Parl., 1628.      |                            |

We have already seen,† that Sir John Finch was one of the committee appointed on behalf of this inn to make arrangements for the masque presented by the Inns of Court jointly to the king and queen in 1633. Sir John Finch advised his majesty *to secure to the people their rights and liberties by way of bill*; asserting that of late there had been 'public violation of the laws and the subjects' liberties' by some of his majesty's ministers. Notwithstanding this independent language, we find Finch sanctioning the levy-

\* *Ex Regist. Gray's Inn.*

† *Vide supra*, page 107.

ing of *ship-money*, which he declared to be a legal impost. He thereby incurred the vengeance of the Long Parliament, who the day after the impeachment of Archbishop Laud, directed articles of impeachment to be prepared against Lord Finch, "on account of his many attacks upon the liberties of the people, but chiefly of his corrupt and arbitrary conduct in the case of the ship-money." Sir John Bramstone, Chief Justice of the King's Bench, Sir Humphrey Davenport, Chief Baron of the Exchequer, and Mr. Justice Crawley, were compelled to put in bail to answer charges preferred against them; and to such lengths did the ascendent faction then proceed, that Sir Robert Berkeley, one of the Judges of the Court of King's Bench, was arrested and taken off the bench in Westminster Hall by the usher of the black-rod, on a charge of high treason, for his opinions on the ship-money. Lord Finch made his escape to Holland on the 22d of December, 1640. At the expiration of about eight years he was permitted to return to England, and spend the remainder of his days in retirement. Lord Finch's arms are emblazoned on one of the windows in Gray's Inn Hall.

Of a far different class is the next member of this inn who demands notice, John Bradshaw, president of the court that condemned King Charles I. to death. "A stout man," to quote the words of Whitelock, "and learned in his profession: no friend to monarchy." He entered Gray's Inn in the year 1622, was called to the bar on the 23rd of April, 1627, and was ad-

vanced to the degree of ancient on the 23rd of June, 1645. He had considerable chamber practice, especially among the partizans of the Parliament. In 1644, he was employed by Parliament, in conjunction with Prynne and Newdigate, to prosecute Lords Macquire and Macmahon. He was subsequently appointed one of the three Commissioners of the Great Seal, and Chief Justice of Chester. In June, 1647 he was named by the Parliament as one of the counsel to prosecute Judge Jenkins. On the 12th of October, 1648, by order of Parliament, he received the degree of serjeant-at-law.\* But his name is not in Dugdale's 'Chronica Series,' a contemptuous blank, marking the time of the Commonwealth, — 'Dominante perduellione justitiam.' Bradshaw, although a stern republican, stained with the blood of his sovereign, was a man of high principle and great moral courage. He resolutely opposed the domination of Cromwell, and when he heard that the speaker Lenthall had been seized in the House of Commons, he went to the council, and having declared his abhorrence of that detestable action, abruptly left the council. A few days after this occurrence he died, Nov. 22, 1659, and was buried in state in Westminster Abbey, from which his body was dug up and dragged to a gibbet after the Restoration.

\* During the Commonwealth the following members of Gray's Inn were ordered by the House of Commons to be called to the degree of Serjeant-at-law : — Sir Thomas Widdrington, Sir Thomas Beddingfield, Mr. Keeble, Mr. Thorpe, and Mr. Bradshaw.

Thomas May, the dramatist and translator of Lucan's 'Pharsalia,' was a barrister of Gray's Inn. He was the son of Sir Thomas May, who was descended from an ancient family in Sussex. On the death of Ben Jonson, May was opposed to Sir William Davenant as candidate for the office of poet laureate. Davenant was successful, and May afterwards joined the parliamentary party, in whose favour he composed 'The History of the Parliament of England which began Nov. 3rd, 1640.' May died in 1650, and was buried in Westminster Abbey, near the tomb of Camden the historian. After the Restoration, however, his monument was pulled down, and his body was dug up, and placed in a large pit in the churchyard of St. Margaret's, Westminster.

John Cook, Solicitor-General, who arraigned King Charles on his trial, was also of Gray's Inn. He was the author of a work entitled a *Vindication of the Profession and Professors of the Law*; and it is impossible to read the speech which he made on his trial, after the Restoration, without being convinced that he was an able man, and an expert lawyer. He was tried with the other surviving regicides \* in the reign of Charles II., and met his fate with his characteristic firmness.

John Lambert, the celebrated parliamentarian general, who, like Ireton, abandoned the study of the law to take up arms, was also a member of this inn, having been admitted in the year 1631.

\* See Trial of the Regicides. "State Trials."



A striking contrast to Bradshaw, Cook, and Lambert, is presented in the person of the intrepid Judge Jenkins, the famous champion of the royal cause: a man of undaunted courage and unbending loyalty to the crown; whom neither the menaces of the Parliament nor protracted imprisonment could intimidate or subdue. He was admitted a student of Gray's Inn, 1602; he was called to the bar in Michaelmas Term, 1609; and on the 28th of May, 1622, was advanced to the degree of ancient in this house. On Monday, 21st of Feb., 1647, the Keeper of Newgate brought Judge Jenkins, described as "Mr. David Jenkins, a Judge in Wales, now a prisoner in that gaole," to the bar of the House of Commons upon an impeachment of high treason. The charges against him were four in number.—1. That he did condemn several innocent men to suffer death for aiding the Parliament. 2. That he did himself take up arms against the Parliament.—3. That he did combine and stir up forces to levy war against the Parliament.—4. That he did charge the Commissioners of the Great Seal with counterfeiting a great seal, because it was not delivered to them by his majesty. On being asked by the speaker what he had to say for himself, we are informed in a contemporaneous account of his arraignment,\* David Jenkins said, "That they had no power to try him, and at the bar, and in the open house, gave very contemptuous words and reproaches against the Houses and the power of Parliament. He threatened Parlia-

\* 4°. Lond. 1647.

ment with the king's numerous issue, "With divers other reproachful words, such as the like were never offered in the face of a parliament. After he came out of the house he put off his hat and spake to this effect before the souldiers of the guard, and divers gentlemen at the doore:—

"*'Gentlemen, God bless you all, protect the laws of the kingdom.'*"

His carriage was declared to be an high contempt and misdemeanour, a breach of the privileges of parliament, and it was ordered that he be fined 1000*l.*, and sent back to Newgate. While in Newgate and the Tower, Judge Jenkins composed and published several works, taking as his motto *Plebs sine lege ruit.*

Underneath the portrait prefixed to his works,\* are the following lines by some anonymous royalist poet:—

"Here Jenkins stands, who, thundering from the Tower,  
Shook the bold senate's legislative power;  
Six of whose words twelve reams of votes exceed,  
As mountaines mov'd by graines of mustard-seed,  
Thus gasping laws were rescued from the snare,  
He that will save a crowne must know and dare."

Sir William Williams, Bart., Speaker of the House of Commons, and Solicitor General in the reign of Charles the Second, and, who, in the reign of James the Second, conducted the prosecution of the seven

\* 'His Remonstrance,' A.D. 1648, is dedicated 'to the Honourable Societies of Graye's Inne, and of the rest of the Innes of Court, and to all the Professors of the Law.'

B B

bishops, was called to the bar in this society on the 5th November, 1658. A few months after James had ascended the throne, he directed a prosecution against Sir William Williams, for a libel published in certain transactions of the House of Commons, and published by the authority of the House while he filled the Speaker's chair. The report of the case in the King's Bench affords a striking illustration of the mode in which justice was administered under the Stewarts:—

*Dominus Rex v. Williams*, Term Pasch., 1 Jac. II. B. R.\*

Information for publishing an infamous libel called *Dangerfield's Narrative*; Defendant pleads that, by the law and custom of England, the Speakers of the House of Commons have signed and published the acts of the House, &c.

Mr. Attorney-General demurs.

Mr. Jones was beginning to argue, and took some exceptions as that he doth not aver the libel in the information and that in the plea to be the same.

Lord Chief Justice: We will not in such a case debate the formality of such an idle insignificant plea. Let us hear what they have to say for it.

Mr. Pollexfen began: The Court of Parliament, &c.

Lord Chief Justice: *Court* do you call it? Can the order of the House of Commons justify this scandalous, infamous, flagitious libel?

Mr. Pollexfen then said: I have no more to say.

Lord Chief Justice: Let judgment be entered for the King.

And afterwards Mr. Williams was fined 10,000*l.*, and upon payment of 8,000*l.* of it, satisfaction was acknowledged upon record.

\* Shower's Rep. 471.

Williams seems to have been soon again received into favour, as to him was committed, three years afterwards, the conduct of the trial of the seven bishops in Westminster Hall. The arms of Sir William Williams are in Gray's Inn Hall.

Robert Frances, who was tried\* and executed for killing Thomas Dangerfield, one of the witnesses in the Meal Tub Plot, two days after he had been whipt from Aldgate to Newgate, and from Newgate to Tyburn, was a barrister of this Inn. Having reproached Dangerfield, who was in a coach opposite Hatton Garden, with his perjuries, Dangerfield called him a son of a w—e; whereupon Frances struck him with his cane in the eye, and death resulted. Mr. Frances had no personal quarrel with Dangerfield; but, according to Bishop Burnet, was only transported with the zeal of the time. Though great intercession was made for him, King's James II. refused to interfere in his behalf, and he was hanged at Tyburn.

Lord Chief Justice Holt is deservedly regarded as one of the most illustrious ornaments of Gray's Inn, and his escutcheon occupies a prominent place in the principal window in the hall of this society. John Holt, afterwards Lord Chief Justice of the King's Bench, was the son of Sir Thomas Holt, a gentleman of considerable property in Oxfordshire, a bencher of Gray's Inn, Serjeant-at-law, and recorder of Abingdon. He was born at Thame, in Oxford-

\* Vol. xi. 'State Trials,' 503.

shire, on the 30th December, 1640, or according to some, 1642\*. He went for some years to the free school of Abingdon, and in his sixteenth year entered as a gentleman-commoner at Oriel College, Oxford; where he was notorious for his wild and licentious habits. In the year 1652, before he had attained his twelfth year, he was entered upon the books of this society, and was called to the bar on the 2nd February, 1663. On the 17th April, 1676, he was admitted to the degree of Ancient in the society. He rose rapidly into notice as a lawyer, and was employed in several of the state trials as counsel for the defence. Having been advanced to the degree of Serjeant-at-law, he was appointed Recorder of the City of London in the year 1685; but from his manly opposition to the measures of the court, was removed from his office by King James II. He was elected a member of the Convention Parliament in 1688, and was appointed one of the managers at the conferences held with the lords concerning the vacancy of the throne. In April, 1689, King William III. appointed him Lord Chief Justice of the King's Bench, which office he held till his death. On the removal of Lord Somers he was offered the Chancellorship, but he declined the offer. Sir John Holt's demeanour on the bench was lofty and dignified, and he set an example of spirit and

\* The date of his birth is stated on his tomb to be the 30th Dec. 1640, and probably that is correct, though his biographers assign the year 1642 as the date.

temper, which have continued since his day to distinguish the English bench. On several occasions he found himself compelled, in the discharge of the duties of his office, to resist the encroachments as well of the crown as of the houses of parliament. Sir John Holt died in March, 1709, leaving behind him, observes his biographer, a "reputation for learning, honour, and integrity, which has never been surpassed even among the many eminent individuals who have succeeded him in his dignified office." He was buried in the parish church of Redgrave, Suffolk, near to his seat, Redgrave Hall, which having been built by one of the abbots of Bury St. Edmund's, and after the dissolution of the monasteries having passed into the hands of Sir Nicholas Bacon, Lord Keeper, was purchased by Sir John Holt.\* There is a monument of white marble in the chancel representing Sir John Holt sitting in a chair, in his judicial robes, with the figures of Justice and Mercy on either side of him. Beneath is the following inscription from the pen of Dr. Halley :†—

M. S.  
D. JOHANNIS HOLT, Equitis Aur.,  
Totius Angliæ in Banco Regis  
per xxi Annos continuos  
Capitalis Justiciarii ;

---

\* In the period between 1587 and 1663, I find the names of no less than fifteen persons of the family of *Holt* on the Admission Books of Gray's Inn.

† There is a sketch of the character of Lord Chief Justice Holt in the 14th number of the *Tatler*.

Gulielmo Regi, Annæque Reginae,  
 Consiliarii perpetui;  
 Libertatis ac Legum Anglicarum  
 Assertoris, Vindicis, Custodis  
 Vigilis, Acris, et Intrepidi.  
 Rolandus Frater unicus et Hæres  
 Optimo de se merito  
 Posuit;  
 Die Martis v<sup>to</sup> 1709 sublatuſ est  
 Ex oculis nostris,  
 Natus xxx Dec. anno 1640.

Though the Inns of Court were instituted chiefly for the profession of the law, yet, from a very early period, those seminaries were resorted to by the youth of riper years of the nobility and gentry, to whom it was thought fitting to give some instruction in the principles and maxims of the municipal law. Fortescue, alluding to this practice, says: "So that for the endowment of virtue and abandoning of vice, knights and barons, with other states and noblemen of the realm, place their children in those inns, though they desire not to have them learned in the laws, nor to live by the practice thereof." We have already seen that churchmen who aspired to dignities in the church and state, and who were so frequently called on to discharge the functions of judges, legislators, and magistrates, were accustomed to enter those learned societies. The following is a list of noblemen, who were students in Gray's Inn, prior to the reign of Jac. II., extracted from the MS. in the Harleian collection:—

|                             |                 |                 |
|-----------------------------|-----------------|-----------------|
| DUKES.                      | Lineux.         | Cheney.         |
| Albemarle (General Monck).* | Marr.           | Cobham.         |
| Norfolk.                    | March.          | Compton.        |
| Northumberland.             | Northumberland. | Dacree.         |
| Lineux.                     | Nottingham.     | Darcey.         |
| Ormond.†                    | Northampton.    | Delaware.       |
|                             | Ormond‡         | Evers.          |
|                             | Oxford.         | Fairfax.        |
| MARQUESESSES.               | Pembrooke.      | Finch.          |
| Dorchester.                 | Rutland.§       | Gray de Wilton. |
| Hambleton.                  | Southampton.    | Gerrard.        |
| Northampton.                | Suffolke.       | Hales.          |
|                             | Salisbury.      | Hollis.         |
| EARLS.                      | Warwicke.       | Lovelace.       |
| Bedford.                    | Westmorland.    | Morley.         |
| Clintard.                   |                 | Montegle.       |
| Derby.                      | VISCOUNTS.      | Montjoy.        |
| Devonshire.                 | Bindon.         | Norris.         |
| Dunbar.                     | Fenton.         | North.          |
| Essex.                      | Hunsden.        | Pagitt.         |
| Exeter.                     | St. Albans.     | Pawlett.        |
| Hartford.                   | Wentworth.      | Rich.¶          |
| Huntington.                 | BARONS.         | Scroop.         |
| Kent.                       | Abergenny.      | Stafford.       |
| Kildare.                    | Aunger.         | Sheffield.      |
| Leicester.                  | Carew.          | Stanly.         |
| Linsey.                     | Bukley.         | Stanhope.       |
| Lincolne.                   | Burghley.       | St. John.       |

\* The arms of General Monck are emblazoned in the north-east window of Gray's Inn Hall.

† Jas. Butler admitted 1660. ‡ Thos. 1566 ; Jas. 1618.

§ John Manners, 1566 ; Roger Manners, 1597.

|| Sir Roger North, 29th of December, 1561 ; and Dudley North, 10th of August, 1619.

¶ There were five Barons of this title successively members of this Inn.



Sidney.  
Shandos.

Seymour.  
Wentworth.

Wharton.\*  
Zouch.

## KNIGHTS.

|  |  |
|--|--|
| Ashton, Sir Ralph, 1624.†  | Hewett, Sir Wm., 1566.                         |
| Camden, Sir Wm., (Clarenceux King-at-Arms,) author of 'Britannia.' | Mildmay, Sir Walter (Chancellor of Exchequer). |
| Dethicke.  | Parry, Sir Charles, 1560.                      |
| Danners, Sir John, 1589.   | Segar, Sir Wm. (King-at-Arms).                 |
| Digley, Sir K.   | St. George.                                    |
| Diggs.‡  | Sidney, Sir Henry, 1563.                       |
| Dugdale, Sir W. (Garter King-at-Arms).                             | Spencer, Sir John, 1594.                       |
| Grimston, Sir Harbottle, 1594.§                                    | Tucker, Sir Owen, 1458.                        |
| Gresham, Sir T. (Founder of Royal Exchange).                       | Walsingham, Sir F., 1552.                      |
|  | Waller.  |
|  | Wolley, Sir John, 1591.                        |
|  | Wriothsley.                                    |

Among other students of this inn, distinguished in literature, may be here mentioned Sir Philip Sidney, the learned author of 'Arcadia,' and gallant governor of Flushing; ¶ George Gascoyne, a poet in considerable repute, in the time of Shakspeare; Mr. Sayntlow Kniveton, the antiquary; Francis Davison, author of the 'Poetical Rapsodie;' and, of a subsequent date, William Rough, author of various dramas, and Rymer,

\* Philip 2nd of Feb., 1580, and George 8th of Aug., 1595.

† Dates of Admission.

‡ Nine of this family were members of Gray's Inn.

§ Ancestor of the Master of the Rolls, Car. II.

|| There were seven of this family members of this house.

¶ Philip Sidney, (son of Sir Henry Sidney, also a member of Gray's Inn,) was admitted on the 2nd of Feby., 1567. Robert Sidney, Earl of Leicester, father of Algernon Sidney, was admitted on the 25th of Feby., 1617. *MS. Gray's Inn.*

whose work, the 'Fœdera,' has given him a European reputation. Rymer was born in Yorkshire, he studied at Cambridge, and from thence removed to Gray's Inn; and, adopting the profession of the law, in 1692, succeeded Shadwell, as historiographer to King William III.

Among the distinguished lawyers, besides those already mentioned, whose works are cited as authorities, the following members of this inn will be recognized:—

Sir Thomas Ireland, 'Abridgment of Dyer's Reports,' &c., 1551.

Robert Challis, 'Statute of Sewers,' &c.

William Leonard, 'Reports and Cases Adjudged,' tem. Eliz.

Thomas Ashe, author of 'Epeikeia,' &c.

William Hughes, 'Reports, temp. Jac. and Car. I.' 'Translation of the Miroir,' &c.

Sir Thos. Hetley, Knt. Serjeant-at-law, 'Rep. temp. Car.'

Edmund Wingate, tutor to Henrietta, Queen of Charles I., 'Reason of the Common Law, &c.'

William Shephard, 'Abridgment of the Law.'

Sir Thomas Raymond, 'Rep. temp. Car. II.'

Sir Creswell Levintz, 'Rep. temp. Car. II.; Jac. II.; Will. III.'

Sir Edward Lutwyche, 'Rep. temp. Car. II.'

J. Keble, 'Rep. temp. Car. II.'

Peere Williams, 'Rep. 1695 to 1734.'

John March, barrister of this Inn; subsequently B. D., and Vicar of St. Nicholas, Newcastle; 'Rep. or New Cases, Car. I.;' 'Actions for Slander,' other legal works, and several sermons.

R. S. D. Roper, 'Law of Property of Husband and Wife;' 'Legacies, &c.'

William Fulbeck, D. C. L., 'Study of the Law,' dedicated to the Students of Gray's Inn.

Isaac Espinasse, Rep. 'Law of Evidence,' &c.

T. Wood, LL.D., Author of 'The Institute of the Laws of England;' 'Civil law,' &c., a barrister of this Inn, and subsequently Rector of Hardwick, in county of Bucks.

Danby Pickering, 'Lectures on Law;' 'Statutes at Large.'

Robert, Lord Raymond, was admitted 1st November, 1682, called to the bar, 12th November, 1697; appointed Solicitor-General, 1710; Attorney-General, 1720; Justice of the Common Pleas, 1723; Commissioner of the Great Seal, and Chief Justice of the King's Bench 1724; created Baron, 1730. There is a portrait of this distinguished judge in Gray's Inn Hall. His arms also are emblazoned on the north-east window. Lord Raymond's 'Reports' have always been held in high estimation. His lordship has given its name to that part of this Inn called 'Raymond Buildings.'

Sir Thomas Clarke, Master of the Rolls, 1754, and Sir Salathiel Lovel, one of the Barons of the Exchequer, were also called to the bar in Gray's Inn.

Sir James Eyre was called to the bar in this Inn on the 25th November, 1755. In 1763 he was appointed Recorder of London; in 1772, Baron of the Exchequer; in 1787, Lord Chief Baron; in 1793, Lord Chief Justice of the Common Pleas. There is an original portrait of this Judge in the library.

Sir Allan Chambre was a bencher of this Inn. He was admitted 13th November, 1764; called to the bar 28th May, 1767. He was constituted a Baron of the Exchequer in 1799; and was appointed a Justice of the Common Pleas in the following year.

Sir George Sowley Holroyd was admitted 20th April, 1774; and was called to the bar 26th June, 1787. He was constituted a Justice of the King's Bench 1816.

Sir John Bayley, author of the well-known work on 'Bills of Exchange,' &c., &c., was admitted 12th November, 1783; and was called to the bar 22nd June, 1792. He was constituted a Justice of the King's Bench, 1808.\*

Sir Stephen Gaselee was admitted 29th January, 1781; was called to the bar 20th November, 1793; and was constituted a Justice of the Common Pleas, 1824.

Sir John Hullock was admitted 7th May, 1788; was called to the bar 16th May, 1794. He was constituted a Baron of the Exchequer in 1823.

Sir Joseph Littledale having first entered at Lincoln's Inn, was admitted of Gray's Inn 22nd November, 1793. He was called to the bar in this society on the 26th June, 1798; and was constituted a Justice of the King's Bench in 1824.

We close this illustrious catalogue with the name of Sir Samuel Romilly. He was admitted on the 5th of May, 1778; and was called to the bar on the 2nd of June, 1783. Having been called to the bench, he filled the office of Treasurer in 1803; and in 1806 was appointed his Majesty's Solicitor-General. The arms of this unrivalled advocate and eminent friend of human improvement are in Gray's Inn Hall; the motto being *Persevere*.

#### GIFTS AND BEQUESTS.

Among the various gifts and bequests from members to the Inn, the following plate for the use of

\* 12th June, 1799. John Bayley, Esq. took his leave of the Society on being called to the degree of Serjeant-at-law, with the usual ceremonies. Edward King, Esq., the Treasurer, presented the new serjeant with a purse containing ten guineas. N.B. The Societies of Staple Inn and Barnard's Inn attended on the occasion. *Regist. Gray's Inn.*

the hall and chapel deserve notice. The arms of the donor are engraved on each:—

|   | ozs. | dwt. | ozs.  | dwt. | £.   | s. | d. |  |  |
|---|------|------|-------|------|------|----|----|--|--|
| An eure, weight, .  | 31   | 2    | } 102 | 10   | } 26 | 9  | 7  |  |  |
| A bason, weight, .  | 71   | 8    |       |      |      |    |    |  |  |
| Ex dono Jeremiæ Bettenham, Lectoris hujus Hospitii, anno 1650,  |      |      |       |      |      |    |    |  |  |
| An eure, weight, .  | 38   | 8    | } 147 | 18   | } 38 | 4  | 5½ |  |  |
| A bason, weight, .  | 116  | 10   |       |      |      |    |    |  |  |
| Ex dono Richardi Newdegate, Servientis ad Legem, xv June, 1673,   |      |      |       |      |      |    |    |  |  |
| A flagon, weight, .   | 56   | 8    | } 14  | 11   | } 14 | 11 | 4½ |  |  |
| Ex dono Johis Gulston, arm. sedi Prothonotarii Curiae Dni Regis de Banco,   |      |      |       |      |      |    |    |  |  |
| A flagon, weight, .   | 52   | 15   | } 13  | 12   |      |    |    |  |  |
| Ex dono Roberti Dewhurst, Custodis Breviū de Banco Regis, anno 1633,  |      |      |       |      |      |    |    |  |  |
| Robertus Lewes, Armig. qui in hoc Grayensis Hospitio annos quadraginta et octo in studio Juris municipalis exegit, hancce Diotam argenteam eidem moriens Testamento legavit, anno 1650, |      |      |       |      | } 10 | 0  | 2½ |  |  |
| A pott, weight, .   | 38   | 15   |       |      |      |    |    |  |  |
| A cup with a cover, weight, }   | 62   | 5    | } 16  | 1    | } 16 | 1  | 7½ |  |  |
| Ex do Justiani Pagit, Arm., Custodis Breviū, &c., in usum Hospitij Graijensis, anno 1671,   |      |      |       |      |      |    |    |  |  |
| Two cups, . . }   | 28   | 15   |       |      |      |    |    |  |  |
|   | 27   | 5    | } 14  | 9    | } 14 | 9  | 6  |  |  |
| Ex dono Allani Lockart, Arm., Prothonotarij &c., in usum Hospitij, anno 1670.   |      |      |       |      |      |    |    |  |  |
| A cup with cover, weight, }   | 63   | 15   | } 16  | 9    |      |    |    |  |  |
| Ex dono Johannis Plomer, anno 1672,   |      |      |       |      |      |    |    |  |  |
| A salt, weight, .   | 38   | 5    | } 9   | 17   | } 9  | 17 | 7½ |  |  |
| Legatum Thomæ Crew, Militis Servientis Dñi Regis at Legem.  |      |      |       |      |      |    |    |  |  |
| A silver dish ex dono Johis Math. Grimwood.   |      |      |       |      | } 30 | 0  | 0  |  |  |
|   |      |      |       |      |      |    |    |  |  |

Several other minor articles of plate have been presented to the society, and there is annually a presentation from the treasurer.

## STAPLE INN.

According to tradition, this inn was formerly called Staple Hall, being a place where wool-merchants resorted, and the tradition seems to be confirmed by the arms of the inn, which are Port de Vert un paquet de doyne Arg. It was an Inn of Chancery in Henry V.'s reign, and probably at an earlier date. By indenture of bargain and sale, dated 10th of November, 20 Hen. VIII., the inheritance of Staple Inn passed from John Knighton, and Alice, his wife, daughter of John Chapwood to the benchers and ancients of Gray's Inn. On the 4th of June, 20 Jac., Sir Francis Bacon, Knt., then Lord Verulam, &c., enfeoffed, Sir Edward Moseley, Knt., Attorney-General of the Duchy of Lancaster, Sir Henry Yelverton, and other ancients of Gray's Inn, thereof by the name of "all that messuage or Inne of Chancery, called Staple Inne, and of one garden thereunto adjoining with all and singular their appurtenances, situated in the parish of St. Andrews, Holborn, *in the suburbs of London*, which messuage &c., the said Francis, Lord Verulam, lately had together with John Brograve, Esq., Attorney to Queen Elizabeth, of her Duchy of Lancaster; Richard Aunger; William Whyskins, and others then deceased of the grant and feoffment of Sir Gilbert Gerard, Knt., then Master of the Rolls; Ralph

Brereton, Esq., and William Porter, gentleman, as by their deed, dated on the 18th of May, 32 Eliz., more fully appeareth to have and to hold to the said Sir Edward Mosely, and others, their heirs and assigns to the only use and behoof of the same Edward, Henry, and their assigns for ever." In the reign of Queen Elizabeth, there were 145 students in Staple Inn, in term; and 69 out of term—the largest number in any of the houses of Chancery. Reading and Mootings were also observed here with regularity. Sir Simonds d'Ewes mentions that on the 17th of February, 1624, in the morning he went to Staple Inn, and there argued a moot point or law case with others, and were engaged in that exercise, till near three o'clock in the afternoon. A fire broke out in No. 1, Staple Inn, on the 27th of November, 1756, which entirely consumed the chambers of Mr. Ward, Mr. Brooke, Mr. Sharpe, and Mr. Sackville; two females and two children perishing in the flames. The hall fortunately escaped from destruction.

#### BARNARD'S INN.

This is another Inn of Chancery belonging to Gray's Inn. "In the thirteenth year of the reign of King Henry VI., it was a messuage belonging to John Mackworth, then Dean of the Cathedral Church of Lincoln, and in that time in the holding of one, *Lyonel Barnard*, who next, before the conversion thereof into an Inn of Chancery, dwelt there; and it hath ever since retained the name of Barnard's

Inn, or Barnard's House. Barnard's Inn beareth party per Pale, indented Ermin. and Sab. a Chevron Gul. and Fretty." \*

In the time of Queen Elizabeth there were 112 students in this inn, in term, and 24 out of term; at present there are, including the principal ancient and companions, in all, 18 members. In the hall of the inn there is a fine full-length portrait of Lord Chief Justice Holt, (who served the office of principal of Barnard's Inn,) of Lord Burghley, Lord Bacon, and Sir William Daniel,† all of Gray's Inn, three judges, whose names are not known, and portraits of Charles II. and Lord Keeper Coventry. Gray's Inn, Staple Inn, and Barnard's Inn, are connected for the purposes of taxation; the three places being comprehended in the district of Gray's Inn. The benchers of Gray's Inn are Commissioners of Taxes, and appoint the officers for this purpose.

\* MS. Harl. in Lansd.

† There are some Latin verses in praise of this judge, printed in Stow's 'Lond.'



## CHAPTER XI.

## REGULATIONS OF THE FOUR INNS OF COURT.

## ADMISSION OF STUDENTS.

IN the Inner Temple there is a rule, that no person can be admitted a member of the society who is under fifteen years of age.\* In the other inns there appears to be no rule on the subject. Sir Simonds d'Ewes was admitted a member of the Middle Temple before he was nine years old, and Holt, afterwards Lord Chief Justice, was admitted a member of Gray's Inn before his twelfth year.

Before any person can be admitted a member of either of the four societies, he must furnish a statement in writing, describing his age, residence, and condition in life, and comprising a certificate of his respectability and fitness to be admitted, which must be signed by the party and a bencher of the society, or two barristers. It is expected that he shall be *aptus, habilis, et idoneus moribus et scientia*.

In the Inner Temple, the form of the application

\* Adopted 29th Jan. 1819.

for admission and certificates, as to fitness, is as follows:—

“ Inner Temple,

“ I hereby certify that I have examined Mr. A. B., and that I find him competent in classical attainments, and the general subjects of a liberal education.

“ Dated this            day of            , 184 .

To Mr.            Sub-Treasurer,            C. D.”

“ I, A. B., (aged    ,)    of    &c., the    son of T. B., of    &c., am desirous of being admitted a student of the Honourable Society of the Inner Temple, for the purpose of being called to the bar.

“ Witness my hand, this    day of    , 184 . A. B.

“ We, the undersigned, do hereby certify, that we know the above named A. B., and believe him to be a gentleman of character and respectability, and a fit and proper person to be admitted a member of the Inner Temple, for the purpose of being admitted to the bar.

E. F.            a Barrister of

G. H.            a Barrister of

“ Expense of Admission    £29   3   2

“ Entrance into Commons    7   17   0

---

£37   0   2

---

In the Middle Temple, the form is as follows:—

“ I, A. B.,    of    (aged    ) the    son of T. B. do hereby declare, that I am desirous of being admitted a member of the Honourable Society of the Middle Temple, for the purpose of keeping terms for the bar; and that I will not, either directly or indirectly, without the special permission of the Society, by order made in parliament, apply for, or take out any certificate in pursuance of the statute 44 Geo. 3, c. 98, s. 14, before I

C C

shall have kept such Commons in the Hall of the said Society, as are required to be kept, to qualify me to be called to the bar.

day of 18 ."

"We, the undersigned, do hereby certify, that we know the above-named A. B., and believe him to be a gentleman of respectability, and a proper person to be admitted a Member of the said Society.

C. D. } Barristers of the  
E. F. } Middle Temple.

Approved G. H.

In Lincoln's Inn, it is as follows:—

"I, A. B., of        aged        years,        son of T. B., in the county of       , do hereby declare that I am desirous of being admitted a Member of the Honourable Society of Lincoln's Inn; for the purpose of being called to the bar; and that I will not, without the special permission of the Benchers in Council, take out or apply for any certificate in pursuance of the Statute 44 Geo. III.

(Signed)

A. B.

day of 184 ."

"We, the undersigned, do hereby certify that the above named A. B. is personally known to us as a gentleman of character and respectability, and we believe him to be a fit person to be admitted a Member of the Honourable Society of Lincoln's Inn, and be called to the bar.

Applied to be admitted of Lin- } C. D. { Barrister.  
coln's Inn, day of 18 . } E. F. { Barrister."\*

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\* These forms, in the Inner Temple and the Middle Temple, are kept at the under-treasurers' offices. In Lincoln's Inn they are obtained on application at the steward's office, attached to the new hall.

In Gray's Inn, the form of the admission document is as follows :—

“Stewards' Office, } Admission Do- { Amount of Stamps  
Gray's Inn. } cument 184 . { and Fees, 3*2*l. 5*s*. 0*d*.

| Name and Residence of the Person to be admitted. | Age. | First or Second Son or otherwise, as the case may be. | Name and Residence of the Father, if living —if dead, his late Abode. | For what purpose admitted. | By whom recommended.                         | Surety. |
|--|------|---|---|----------------------------|--|---------|
| A. B.  |      |   | T. B., of, &c.  |                            | C. D. and E. F., of, &c., Barristers at law. | C. D.   |

Deposit 100*l*., made this      day of      } Let him be admitted.  
184 .      } G. H.  
T. G.      Steward.

I do hereby certify, that the Applicant for Ad- }  
mission is the party herein described. } C. D.”  
Witness,      J. K.

• No person is admitted without the approbation of a benchers, or of the benchers in parliament, pension, or council assembled. The expense of admission and entrance into commons is between 35*l*. and 40*l*., including the stamp to government of 25*l*. on admission, and the costs of a bond, with two sureties, in the penalty of 50*l*. The regulations for admission of students bear a strong analogy to the admission of members in the universities.

A student, previously to his keeping any of the terms requisite for his call to the bar, must deposit with the treasurer of the society 100*l*., to be returned, without interest, on his being called to the bar, or, in case of death, to his personal representatives;

but this rule does not apply to any person who shall produce a certificate of his having kept two years terms in any of the Universities of Oxford, Cambridge, Dublin, or (at the Middle Temple) of London or Durham, or of his being a member of the Faculty of Advocates in Scotland; and, before he can enter into commons, he must sign a bond with surety, conditioned to pay the dues.

The following are the rules in the Inner Temple, respecting examination\* in classical attainments:—No person can be admitted a student of this society without a previous examination by a barrister of the society, named for that purpose by the masters of the bench, and a certificate signed by the examiner of the competency of the candidate for admission, in *classical attainments and the general subjects of a liberal education*; such examination to include the Greek and Latin languages, or one of them at least, together with such subjects of history and general literature as the examiner may think suited to the age of the candidate; but this regulation does not apply to any gentleman who, upon his application to be admitted a member, shall have

\* The object of this examination is thus stated by John Wyatt, Esq., Treasurer, who in 1833 was examined before the Commissioners on Courts of Common Law:—"The object was not to ascertain whether he was a good scholar or not, but to see how he had spent his time, and whether he was of gentlemanly habits, so that we might have some security for his being fit to come into such a Society, where we expect to have a gentleman. It is clearly some test of fitness, though it is not conclusive."

taken the degree or have passed his examination for the degree of bachelor of arts in either of the Universities of Oxford, Cambridge, or Dublin, and shall produce a certificate to that effect.

By a regulation in the Inner Temple, dated 1st of February, 1780, a person in holy orders cannot be *admitted* a member of the society.\* In ancient times several distinguished ecclesiastics were, as we have seen, admitted as members of the Inns of Court, and in the three other inns there appears still to be no rule against the *admission* of clergymen as members ; although there is a rule in each of the four societies prohibiting a clergyman from being called to the bar. By an order of pension, in Gray's Inn, dated the 8th day of July, 1794, it was ordered (after a conference with the other Inns of Court), that a person in deacon's orders ought not to be called to the bar : it having previously (in the year 1779) been declared to be the opinion of the society, that a person in priest's orders was not a proper person to be called to the bar, regard being had to the 76th canon, made in 1603. There is a regulation in each of the four societies that no person can be admitted a member who shall be engaged in trade ; and the following orders are in force in the Inner Temple, Middle Temple, Lincoln's Inn, and Gray's Inn :—" No attorney-at-law, solicitor, writer to the signet or writer in the Scotch courts, proctor, notary

\* This regulation was made in consequence of the application of John Horne Tooke, who had been admitted at the Inner Temple in 1756, and who in 1760 had received priest's orders.

public, parliamentary agent, or other agent to any appellate court, or other person acting as such, and no clerk of or to any barrister, conveyancer, special pleader, attorney, solicitor, writer to the signet or writer to the Scotch courts, proctor, notary, parliamentary agent, clerk in chancery, or other officer in any court of law or equity, whether such clerk be articulated or in the receipt of a salary or other remuneration for his services, can be allowed to keep commons in the hall of this society, available for the purpose of being called to the bar, *until such person being an attorney shall have taken his name off the rolls* :\* and until he and every other person above named and described, shall have ceased to act or practise as such attorney, writer to the signet or writer of the Scotch courts, solicitor, proctor, notary, agent, or clerk as aforesaid.

“ That no person to be admitted a member of this Society shall directly or indirectly apply for, or take out, any certificate in pursuance of the statute 44 Geo. III. c. 98. § 14 (to practise as a special pleader, &c.) without the special permission of the society by order made in pension, under pain of expulsion. And that such permission be in no case granted until the person applying for the same shall have kept such commons in the hall of the Society as are required to be

\* It was decided *in re Bateman*, that a barrister cannot serve as an articulated clerk for the purpose of being admitted as an attorney, without first being *disbarred*. 2 Dowl. and L. 725. See also *ex parte Warner*. 6 Jur. 1016.

kept to qualify him to be called to the bar. And that such permission do endure for one year only from the date thereof, but may be renewed annually upon petition, according to the will and pleasure of the society. And that any person to be admitted shall sign the above order, signifying his assent thereto."

If any objection appear against the admission of any person, it is laid before the benchers, and they investigate the same and decide as to its validity or invalidity. In Wooller's case, reported as the *King v. The Benchers of Lincoln's Inn*,\* it was held that the judges had no power as visitors to interfere with the regulations of the Inns of Court respecting the admission of students, and also that the Court of King's Bench could not in such case interfere by *mandamus*.†

On the 24th of January, 1837, the following resolution was adopted by the benchers of the Inner Temple:—

"The judges are requested to entertain the application of any gentleman who may be refused admission into this society; this society being willing to be bound by the decision of the judges upon such application."

No case has, however, since arisen for reference to the judges.

\* 4 Barn. and Cress. 855. See also Raym. 69; 2 Show. 178.

† No mandamus lies to the Archbishop of Canterbury to issue his fiat for the admission of a doctor of Civil Law graduated at Cambridge, as an advocate of the Court of Arches. *Rex v. Cant.* 8 East. 212. The masters and fellows of a College, cannot be compelled to admit a particular individual a member:—Little-dale. 4 Barn. and Cres. 855.



It is understood to be generally a rule in the Four Societies that rejection at any one Inn is a sufficient ground of rejection at all the others, though it appears that this rule might be subject to exceptions under very special circumstances. When admission is refused at one Inn a notification of that refusal is transmitted with the party's description to the other Inns of Court.

## KEEPING TERMS.

Before a person can be called to the bar he must keep commons for three years, or twelve terms, by dining in the hall at least three times in each term. In the Inner Temple, to keep a term, the student must dine in the hall of the society two days in each of two separate full weeks of the term, except that students residing in the Universities may keep their terms by dining any three days in the term. The expense of commons for keeping the necessary terms is about 7*l.* per annum; the expense of commons during the whole of the four terms is from 10*l.* to 12*l.*\* A bottle of port is allowed to each mess of four, and a comfortable and substantial dinner is provided.

## \* FORM OF EATING COMMONS BILL.

Lincoln's Inn.

A. B., Esq.

Michaelmas Term, 1847.

|                          | £.    | s. | d. |
|--------------------------|-------|----|----|
| One whole week . . . . . | 0     | 14 | 0  |
| Grand week . . . . .     | 0     | 14 | 0  |
|                          | <hr/> |    |    |
|                          | £1    | 8  | 0  |
|                          | <hr/> |    |    |

On grand day there is an extra course, and before dinner in Gray's Inn Hall the grace cup with sack is passed round. Respecting the practice of keeping terms the Commissioners on the Courts of Common Law express the following favourable opinion:—"We conceive that that part of the present system of all the societies, by which students, in whatever part of the kingdom they may be resident, are required to dine in the Common Hall a few days in the course of every term, is founded on just views, and attended with beneficial effects. Amongst these may be noticed, that of its making known the person of the student, and exposing him, if his character be disreputable, to more easy detection by the society, before the period of his application to be called to the bar. It also gives an opportunity of attending the courts, and of associating with students and other members of the profession."

The method of keeping the term slightly varies in each of the Inns; but every information is given the student by the officers of the respective societies. The dinner hour is five o'clock, and the doors remain open till half-past five. Students are required not to leave the hall until grace is said after dinner.

## EXERCISES.

At Lincoln's Inn and Gray's Inn, exercises must be performed by every student previously to his call to the bar. These exercises are performed before barristers in the hall on successive days, who have an

opportunity of objecting to hear the exercises, if they entertain any objection to the parties, or either of them who present themselves to do their exercises. At Lincoln's Inn the exercises are performed before four barristers, who dine in the hall on the day such exercises are performed.

Previously to a gentleman performing exercises, a certificate is produced during the dinner hour in term time, to the barristers who dine in the hall, signed by a practising barrister of Lincoln's Inn, in the following form:—

"I know A. B. of Lincoln's Inn, and of        in the county of,        son of T. B., of        in the county of       , Esquire; am well acquainted with his character, and believe him to be an unexceptionable person to be called to the bar.

C. D., Barrister of Lincoln's Inn."

After the certificate is passed by the steward of the society, the student signs the exercise book, and is called up immediately after dinner, and reads his exercises to some of the barristers who dine that day at the bar table, but if from any knowledge acquired by the barristers, they have reason to believe that the person applying to do exercise is not a proper person to be called to the bar, they postpone the hearing of his exercises until they have inquired whether he is or is not a proper person to be called; and if upon such inquiry, they are of opinion, and decide that he is not a proper person, and refuse to hear his exercises, he may appeal from the decision of the barristers to the

benchers; and in case the benchers decide that he is a proper person to be called to the bar they hear his exercises.

At Gray's Inn exercises are performed on six days, usually consecutive, in one term previously to the student's being called to the bar.\* Two gentlemen do the exercises together; one opens the declaration and another the plea in Norman French, and the exercise book is signed on each day by two barristers, who hear the exercises. At present these exercises are a mere matter of form, retained for the purpose of making the bar acquainted with the names and persons of the students.†

## CALL TO THE BAR.

No person can be called to the bar until he has kept twelve terms in the hall of the inn to which he belongs, and until he has attained twenty-one years of age. No person can be called to the bar at the age of twenty-one years unless he shall have been five years a student in an Inn of Court.

The following are the orders of Lincoln's Inn re-

\* In this Inn mootings on the model of the ancient moots have been revived; the questions discussed being confined to points respecting the law of Real Property.

† There are also the following Resolutions in the books of the society of Lincoln's Inn:—"No person who has been in the situation of clerk to a barrister, conveyancer, special pleader, or chancery draftsman, and has done the offices and received the perquisites of such clerk, can be received to do Exercises to enable him to be called to the bar.—No person in trade is permitted to do Exercises."

specting calls to the bar:—"That for the future no person shall be called to the bar in this society before the end of five years from the time of his admission, nor shall any person be called to the bar who shall be under the age of twenty-one years; that every person shall actually keep commons in the hall for twelve terms before he be called to the bar; that masters of arts and bachelors of laws of the universities of Oxford and Cambridge may be called to the bar at the end of three years from the time of their admission, but this not to dispense with keeping their usual commons. That no person be called to the bar before the time prescribed, on account or pretence of his practising the law in Ireland or the plantations."

The ancient regulations respecting utter-barristers are stated in orders of 36 Eliz. "None shall be called to the barr but such as be of convenient continuance, and have performed exercises three years before they be called, that is to say, have gone abroad to grand moots six times, have mooted at the utter barr in the library six times, and have put cases at bolts in term six times, and thereof bring due certificate; of the first, from the reader, the ancient that goeth with him, and the principal in the Innes of Chancery; of the second, from those two that sit at the bench, and of the third, from those three that sit at the bolt."

The following are the regulations in the Inner Temple:—

No person can be called to the bar in this society

who shall not have been admitted full five years, and shall be twenty-one years of age, and shall have actually kept twelve terms' commons, except that masters of arts and bachelors of law, of either of the Universities of Oxford, Cambridge, or Dublin, shall not be restrained to five years' standing, but may be called after they shall have been admitted, and actually kept commons full three years.

But the above privilege not to extend to *mandamus* or *honorary degrees*.

The name of every gentlemen offering himself for the bar, must be published in the hall of this society a fortnight before the day of call.

Every gentleman desirous of being called to the bar must make, or cause to be made, his application to one of the masters of the bench to move his call.

No master of the bench of this society can propose any gentleman for the bar without he is able to give some account to the masters of the bench of the character and qualifications of the gentleman he proposes; and no person can be called to the bar by this society until the next parliament after that at which such person has been proposed by one of the masters of the bench.

Easter Term, 1847 :\*—Ordered that from henceforth all persons of the full age of 21 years and upwards, who shall have been upon the books three years and shall have kept twelve terms, may be admitted to the Bar, provided that in all other respects they be entitled to be called to the Bar, according to the existing usages, orders, and regulations of the several Inns of Court.

The manner of calling a gentleman to the bar in the Middle Temple, is as follows :—"Two official meet-

\* *Orders, Inner Temple.*

ings of the benchers of this society, called Parliaments, are held in each term, (the first and last Fridays in the term,) at one of which, a student, who is a candidate for the bar, must be proposed by a bencher, who, from his own personal knowledge, or from information on which he can rely, must give a satisfactory account of the gentleman he proposes. His name and description is suspended in the hall for a fortnight for the inspection of the members, and he is required to call on the treasurer to state his qualifications for the bar. If no objection is made, he is called to the bar at the ensuing Parliament; and on the next day he is required to take the oaths of allegiance and supremacy, in the hall of the society, before at least, two benchers, which is the completion of the call."

In Gray's Inn, after the student is of sufficient standing, and has kept the terms, and has otherwise conformed to the regulations, the student intimates to the steward of the society his intention to be called to the bar, and his name and description are then screened in the dining-hall of the society, for at least a fortnight during term time, and his name and description are also sent to the other three Inns of Court; a certificate of his qualifications is then drawn up and examined by two benchers, who sign the same, if found correct. These qualifications are, that the student is of full age and standing in the society, and has kept a sufficient number of terms, and performed his exercises, and that he is possessed

of a chamber in the Inn, in his own right, or has paid a fine of 20*l.* in lieu thereof. The student then presents his petition to the benchers to be called, and produces the certificate of his qualifications, which are read at a pension of at least five benchers; and if proposed by a bencher, and no objection appears, he is at the next or some succeeding pension called before the benchers, who cause the oaths of allegiance and supremacy, or (if he is a Roman Catholic) the oath provided for that purpose, to be administered to him; he is thereupon called to the bar and becomes a barrister, and his name, as such, is published in the hall of the society. If any objection appears, the call to the bar is postponed, and the objection is carefully investigated by the benchers.

The names of gentlemen proposed for the bar in one inn are sent to all the other inns, and are laid on the benchers' tables.

On the 5th of July, 1794, the subjoined resolution was adopted by the benchers of the Inner Temple, and a similar rule was established in Lincoln's Inn, the Middle Temple, and Gray's Inn:—Mr. Treasurer Bower and Mr. Reade having this day reported to the bench table, that they have met and conferred with the following benchers of the other Inns of Court, namely, Peter Holford and John Soley, of Lincoln's Inn, Esqs., and Master Wynne and Master Whitechurch, of the Middle Temple, and Alan Chambre, Esq., and Dr. Fisher, of Gray's Inn, on the question,



“Whether a person in deacon’s orders, being admitted and having kept his terms, may be called to the bar;” and that, in the said conference, it was the opinion of all the said deputies of the Four Inns of Court, that a person in deacon’s orders ought not to be called to the bar; it is therefore resolved, by the masters of the bench now present, that a person in deacon’s orders ought not to be called to the bar.

#### BAR BOND.

A bond, to the following effect, is signed by every member of the four societies, with surety on being called to the bar:—

“Know all men by these presents,—That we A. B. of Lincoln’s Inn, in the county of. Middlesex, Esq., and C. D. of the same place, (Esq. or &c.), are held firmly bound to E. F., G. H., and I. K., three of the Masters of the Bench of this Society, in the penal sum of two hundred pounds of good and lawful money of Great Britain, to be paid to the said E. F., G. H., and I. K., or any of them or their certain attorney, executors, administrators, or assigns; for which said payment, well and faithfully to be made, we bind ourselves, and each of us by himself for the whole, our and each of our heirs, executors, and administrators, firmly by these presents, sealed with our seals, dated the       day of       in the       year of the reign of our Sovereign Lady, Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and in the year of our Lord one thousand eight hundred and forty-seven.

“Whereas the said A. B. being a member of the Honourable Society of Lincoln’s Inn, is now, by order of the said society, called to the degree of an utter

barrister, whereby divers duties and charges may hereafter, from time to time, grow due and payable to the society by the said A. B., the condition, therefore, of this obligation is such, that if the said A. B. do and shall, from time to time, and at all times hereafter during his life, or as long as he shall continue a member of the said society, duly and orderly perform, pay, and discharge all such debts, duties, and charges, sum and sums of money, as shall grow due and chargeable upon him for pensions, preacher, duties, commons, taxes, fines, penalties, amerciaments, and all other duties whatsoever, hereafter to be due or imposed by order of, according to the custom of the said society; then this obligation to be void, or else to remain in full force and virtue.

“ A. B. (L. S.)

“ C. D. (L. S.)”

By 55 Geo. III., c. 184, sched. 1, the stamp upon the admission to the degree of barrister is 50*l*. The fees, payable on being called to the bar, vary from 40*l*. to 50*l*.

There are no religious tests in the Inns of Court, either on admission or call to the bar.

By an order of pension in Gray's Inn, dated November 16th, 1825, it was ordered that, receiving the Sacrament,\* by students, as a qualification for the English bar, should in future be dispensed with.

In the year 1833, a gentleman, who was by religion a Jew, having kept all his terms, and performed all acts which were requisite, prior to being called to the bar in the society of Lincoln's Inn,

\* The Test and Corporation Acts were repealed by Parliament, 26th Feb., 1828.

applied to be called. A special council was summoned to take his case into consideration, on the 22nd day of January, 1833; at that council were present, the Vice-Chancellor of England, the Right Honourable Thomas Erskine, the Attorney-General, the Solicitor-General, and ten King's Counsel. No instance was known of a Jew being called to the bar. The council was adjourned to Wednesday, the 23rd of January, 1833, to see if any precedent could be found of a Jew being called, and to look into the law upon the subject. At the adjourned council, the Vice-Chancellor of England, the Right Honourable Thomas Erskine, the Attorney-General, the Solicitor-General, and sixteen King's Counsel were present; and, after much consideration, the council was further adjourned, to look further into the law relative to the subject. At the second adjourned council, the Speaker of the House of Commons, the Vice-Chancellor of England, the Right Honourable Thomas Erskine, the Attorney-General, the Solicitor-General, and fourteen King's Counsel were present, and, although no instance could be found of a Jew being called, they were unanimously of opinion that he ought to be called to the bar, and he was called to the bar on the following day.

#### OF DUES PAYABLE BY MEMBERS.

In each of the Four Inns there are certain dues and duties payable by members. The following are those at present payable in Lincoln's Inn:—

*Absent Commons.*

This is a charge made for the terms not kept in the hall, from the first admission of members. But if the terms be regularly kept, this charge is not made; or if kept in part, such part only as has been neglected to be kept is charged as *absent commons*.

*Eating Commons.*

See page 392.

*Vacation Commons*

Is a charge of six pounds, payable by every member, either on his admission to chambers, taking certificate, being called to the bar, or leaving the society; and the further sum of four pounds per annum, for three years after call to the bar.

*Preacher.*

Every proprietor of chambers is charged six shillings per term to the preacher, and twelve shillings per term if he have a double set; and every member, who is not a proprietor of chambers, two shillings and sixpence per term. This constitutes the only difference between personal and chamber dues.

*Pensions.*

These are small annual charges, amounting in the whole to five shillings and four pence, paid by every member of the society.

*Library.*

Each student, on his call to the bar, is charged five pounds for the use of the library; and each barrister eleven guineas, for the same purpose, on his becoming a bench.

*Ground Rent.*

Each set of chambers in the Stone Buildings is charged with a ground rent of about fourpence in the pound on the original cost of the shell of the building.

*Insurance.*

The shells or walls of the Stone Buildings are insured from fire. The Society pays one-third of this expense, and the remaining two-thirds are paid by the proprietors.

*Taxes.*

Lincoln's Inn, excepting a part of Serle Street, is extra-parochial. The Temples and Gray's Inn are wholly extra-parochial. Lincoln's Inn is assessed for land tax in a certain sum, which is subdivided, and paid by the respective occupiers or proprietors of chambers.

Chamber dues are made up to the end of Hilary term, and personal dues to the end of Trinity term.

The dues payable to the society continue to accrue so long as a member's name is on the books; that is, until he has taken the proper steps to withdraw it. When a member is desirous of quitting the society, he signs a petition prepared by the steward, which is presented at the ensuing council: or, by letter under his own hand, he may authorise the steward to execute such petition, and present it as before mentioned.

## REFUSAL TO CALL TO THE BAR.

If any objection appears against the call of any

person to the bar, the benchers will hear him personally, or by counsel, and will allow him to adduce evidence to rebut the charges against him.

No mandamus will lie to compel admission to the degree of barrister. The proper course is to *appeal* to the judges. The application of William Hart, to the Court of King's Bench, Easter Term, 1780, to compel the benchers of Gray's Inn to call him to the bar, was refused on this ground.

From the answers returned by the authorities of the four societies to the Commissioners on the Courts of Common Law, in 1833, it appears that, in the course of the previous twenty years, three students only had been refused admission to the bar in the Four Inns of Court.

Harvey's case, which occurred in the year 1821, acquired very considerable notoriety about twelve years afterwards, when the whole case was considered afresh. Mr. Daniel Whittle Harvey had practised as an attorney from the year 1807 to the year 1819, when his name was struck off the rolls at his own request, in the usual way, and he entered as a student in the Inner Temple, with a view to be called to the bar.

Mr. Harvey having kept eleven terms, and signified to the sub-treasurer his desire to be called to the bar, in Trinity Term, 1821, his name was put up in the hall of this society on the 22nd day of June in that year, as a candidate, and it was afterwards (in consequence of intimation being given to

him, that some objections had occurred to the masters of the bench, which required explanation) withdrawn at his own request.

On the 6th of November, in the same year, Mr. Harvey having, in the course of the long vacation, received from the treasurer further information as to the nature of the objections that had occurred to the masters of the bench, and which, unexplained, might operate as an obstacle to his being called to the bar, and having desired an opportunity of answering the same, attended the masters of the bench in the Parliament Chamber, and was in part heard in answer to those objections.

On the 9th day of November, Mr. Harvey again attended the masters of the bench, and was further heard in answer to the said objections.

The masters of the bench took the same into their consideration, and, on the 13th day of November, the treasurer, by the desire of the masters, wrote to Mr. Harvey the following letter:—

“ Sir,

“ Temple, 13th Nov. 1821.

“ Having collected the opinion of the Masters of the Bench at a full meeting, I have to inform you that their opinion is adverse to your application to be called to the bar.

“ I am, Sir, your obedient servant,

“ To D. W. Harvey, Esq.”

“ BARNE BARNE.”

In the vacation following, Mr. Harvey appealed to the twelve judges, as the visitors of Inns of Court, and, on the 24th of January, 1822, the masters of

the bench of the Inner Temple were served with the following notice:—

“Gentlemen, Serjeant’s Inn, January 24, 1822.

“I am directed to acquaint you, that a Petition of Appeal to the Twelve Judges having been presented by Mr. Daniel Whittle Harvey against the refusal of your Society to call him to the bar, the Judges have appointed to take the same into their consideration, and to hear all parties thereupon at Serjeants’ Inn Hall, on Friday, the 1st day of February next, at the hour of six o’clock in the evening precisely; and I am further directed to leave with you a copy of the Petition, to enable you to certify your objections, pursuant to the prayer of the said Petition, if you shall think fit so to do.

“I have the honour to remain, gentlemen,

“Your very obedient servant,

“JOHN WATERS.”

“To the Masters of the Bench of the Honourable Society of the Inner Temple.”

On the 30th day of January following, the masters of the bench transmitted to each of the judges a copy of a certificate, stating the reasons\* of their refusal to call Mr. Harvey to the bar.

On the 1st day of February the judges, namely, Lord Chief Justice Abbott, Lord Chief Justice Dallas, Lord Chief Baron Richards, Mr. Baron Graham, Mr. Justice Bayley, Mr. Justice Park, Mr. Justice Holroyd, Mr. Justice Burrough, Mr. Baron Garrow, Mr. Justice Best, and Mr. Justice Richardson were

\* These documents are printed in the Appendix to the Sixth Report of the Commissioners on Courts of Common Law. The objections arose out of *Harvey v. Andrew*; *Frost v. Harvey*; and *May v. Harvey*, the latter of which is reported in 13 East, 197.



attended at Serjeants' Inn Hall by the treasurer, and William Harrison and Gibbes Walker Jordan, Esqs., two of the masters of the bench of the Inner Temple, and by the petitioner, and by Messieurs Brougham and Denman, his counsel, and his solicitor; and the judges, having heard the explanations and arguments of the counsel for the petitioner, dismissed the petition.

The Lord Chief Justice of England communicated to the treasurer of the Inner Temple the opinion of the judges in the following letter:—

“ Sir, Russell-square, Feb. 1822.

“ I send you herewith a copy of the opinion of the judges on the petition of D. W. Harvey, Esq., as verbally announced to Mr. Harvey at Serjeants' Inn Hall this evening.

I remain, Sir,

“ Your most sincere and faithful Servant,

“ C. ABBOTT.”

“ H. C. Litchfield, Esq.,  
Treasurer of the Inner Temple,  
&c., &c., &c.

[Inclosure.]

“ Upon the matters laid before the Judges by the Masters of the Bench of the Inner Temple, and the explanations and arguments of the learned counsel for the Petitioner, (the Judges are of opinion that the Masters of the Bench have acted with due regard to the honour of the Bar and the interests of the Society, in refusing to call the Petitioner to the Bar, and they therefore dismiss the petition.)

On the 5th day of February, the masters of the bench of the Inner Temple made the following order: “ That on Friday next the masters of the bench do

consider whether Mr. Daniel Whittle Harvey's name should not be struck off from the books of this society; his bond delivered up, and deposit returned, for the causes certified by the masters of the bench to the twelve judges on Mr. Harvey's petition and appeal, that petition having been dismissed by the judges; and that Mr. Harvey may, if he thinks proper, attend at the Inner Temple Hall, at seven o'clock on that evening, and shew cause against the same; and that notice be given to all the masters in town, and to Mr. Harvey."

On Friday, the 7th of February, the sub-treasurer received the following letter from Mr. Harvey:—

"Sir, 32, Essex Street, 7th Feb., 1822.

"I have to request you will communicate to the Treasurer that it is my wish to quit the Honourable Society of the Inner Temple, and that he will be pleased to direct you to deliver up my Bond and return the Deposit, after deducting any fees or dues in arrear.

"I am, Sir, your most obedient,

"R. Norris, Esq.  
Sub-Treasurer, &c."

"DAN. W. HARVEY."

On the same day the said letter from Mr. Harvey was laid before the treasurer and masters of the bench, and it was ordered that the bond of the said Daniel Whittle Harvey be delivered up, and his deposit returned to him, upon paying his dues to the house; which order was carried into effect on the following day.

Mr. Harvey having been elected a member of the House of Commons, on the 19th of April, 1832,

moved an address to the Crown that the commissioners on courts of common law should examine into the rules and practices observed by the benchers of the several Inns of Court, also asking leave to bring in a bill to empower the judges of the King's Bench to issue a *mandamus* to the treasurers of the several Inns of Court, and to frame ordinances to regulate the admission of persons claiming to become members of such inns, or to be called to the bar. The motion was lost; but the whole matter was referred to the commissioners on courts of common law, whose report on the subject occupies their sixth report.

Mr. Harvey, in Trinity Term, 1833, renewed his application to the benchers of the Inner Temple to call him to the bar; and after some preliminary objections the benchers consented to re-hear the case. An investigation took place accordingly in the hall of the Inner Temple, commencing 19th of November, and terminating 13th of December, 1833, when the objections to Mr. Harvey, arising out of the transactions already referred to, were fully discussed. Afterwards, at a special meeting of the masters of the bench of that society, held 23rd of January following, it was unanimously resolved, that upon taking into consideration the renewed application of Mr. D. W. Harvey to be called to the bar, and the evidence adduced in support of the same, and the arguments of the learned counsel therein, "the bench did not see any sufficient reason to alter the resolution of the bench communicated to Mr. Harvey by the treasurer of the society on the

13th of November, 1821, against his application to be called to the bar." \*

The steward of Gray's Inn, in his examination before the commissioners, stated the following circumstances connected with the case of the student refused admission to the bar in that inn:—" *What was the ground of the refusal?* "—" That he was an uncertificated bankrupt; he appealed to the Judges, and I attended before Lord Tenterden (then Chief Justice Abbott) and the other judges, and on the judges asking him what he had to say, he acknowledged the fact, but stated that he was taken by surprise, and that he wished to be heard by counsel; the judges accordingly adjourned it to be heard at Serjeant's-inn Hall on Holy Thursday; Mr. Denman attended as his counsel and was heard, and after asking several questions, the judges sanctioned the refusal by the benchers."

#### SCREENING.

The following is an example of this mode of punishment:—

Middle }  
Temple. }

The Masters of the Bench having fully investigated the

\* Mr. Harvey's petitions and statement rebutting the objections against him are printed at length in the Appendix to the Sixth Report of the Commissioners on Courts of Common Law. On the motion of Mr. D. O'Connell, all the circumstances attending the rejection of the application of Mr. Harvey to be called to the bar, were referred to a Select Committee of the House of Commons, in May 1834, who reported in his favour.

charge preferred against A. B., Esq., Barrister of this Society, and having heard him in his defence are unanimously of opinion that his conduct at the bar, as proved before them, has been in several instances highly unprofessional and deserving of severe censure. And they do order that he be excluded from the Hall for the period of two years from this date ; and that this order be affixed to the screen of the Hall. Dated this day, &c., &c.

#### EXPULSION AND DISBARRING.

Expulsion of a student and disbaring of a barrister are the extreme penalties inflicted in the Inns of Court for gross misconduct, or mal-practices at the bar. "I must say," said Lord Chief Justice Denman, in a case before the Court of Queen's Bench, in Michaelmas Term, 1845, "that I never heard of a disbaring without some grave and serious cause of complaint."

Boorman's case, in the reign of Charles I., and Savage's case, in the reign of George III., will be referred to in the next section.

The following is an order of the benchers of Lincoln's Inn in the year 1809, for disbaring a barrister of that Society :—

At a Council held the 19th day of April, 1809. It having been certified to the Masters of the Bench by Henry Dealtry, Esq., one of the clerks of the Crown in the Court of King's Bench, that E—— W—— R——, Esq., Barrister of this Society, at the sitting of Nisi Prius holden after Trinity Term last, in and for the county of Middlesex, in His Majesty's Court of King's Bench, had been convicted of obtaining, by false, artful, and subtle means, contrivances, pretences, and represen-

tations, from W—— H—— and others, divers goods and chattels belonging to them, on which conviction judgment had not yet been pronounced; and it having also been certified to the Masters of the Bench, by Jerome William Knapp, Esq., Deputy Clerk of Assize of the Home Circuit, that at the general session of our Lord the King of Oyer and Terminer, holden for our said Lord the King in and for the county of Hertford, at the town of Hertford, in the said county, on Thursday, the 9th day of March, in the forty-ninth year of the reign of his present Majesty, the said E—— W—— R—— was tried and convicted upon an indictment for maliciously, wickedly, fraudulently, and deceitfully contriving, devising, and intending to injure, aggrieve, oppress, and impoverish F—— A—— N——, upholsterer, and by divers means and pretences, cheating and defrauding the said F—— A—— N—— of his goods and chattels of the value of 100*l.* and upwards, upon which conviction judgment was pronounced upon the said E—— W—— R——, that he should remain in gaol for twelve calendar months, and should during that time be placed in and upon the pillory at Hertford, for the space of one hour; and it now appearing to the Masters of the Bench, by an affidavit of Robert Gudgeon, of Hertford, gentleman, that a notice signed by Mr. Lane, the Steward of this Society, bearing date the 16th day of March last, had been duly served on the 22nd day of the said month of March on the said E—— W—— R——, reciting as is above recited, and requiring him to take notice that, at a Council to be holden at Lincoln's Inn, on Wednesday, the 19th day of April then next, at five o'clock in the afternoon, it would be proposed to disbar him, unless he should shew some sufficient cause to the contrary, and that the Masters of the Bench would, at the time and place aforementioned, peremptorily proceed to consider the said proposition, and would then and there be ready to hear and consider what might be offered on his behalf, and

finally to determine the same ; and a letter being now read from the said E—— W—— R——, dated the 31st March, and addressed to the honourable the Benchers of Lincoln's Inn, but not shewing any sufficient cause to the contrary : it is ordered, that the call to the Bar of the said E—— W—— R——, in this house be forthwith vacated, and that he be disbarred. It is also ordered, that a copy of the above order be transmitted by the Treasurer to the Lord Chancellor, the Lord Chief Justice of the King's Bench, the Master of the Rolls, the Lord Chief Justice of the Common Pleas, the Lord Chief Baron of the Court of Exchequer, the judges of the several Courts of Westminster Hall, and to the treasurers of the respective Inns of Court. Ordered also, that the sum of 42*l.* 5*s.* 4*d.* now in arrear to the Society from the said E—— W—— R——, in consideration of his representation of his present circumstances, be remitted, and the bond of him and his surety to be cancelled.

Fortescue, in his work *De Laudibus*, &c.\* gives the following description of this mode of punishment in the Inns of Court in the reign of Henry VI. :—  
 “Scant at any time is there heard among them any sedition, chiding, or grudging, and yet the offenders are punished with none other pain but only to be amoved from the company of their fellowship; which punishment they do more fear than other criminal offenders do fear imprisonment and irons. For he that is once expelled from any of these fellowships is never received to be a fellow in any of the other fellowships; and so by this means there is continual peace, and their demeanour is like the behaviour of such as are coupled together in perfect amity.”

\* Chap. xlix.

When a barrister enters into holy orders *ipso facto* he resigns his degree of barrister.

A barrister who has been originally an attorney, and is desirous of returning to his practice as an attorney might, it seems, be disbarred at his own request.\*

In *ex parte Cole*, K.B., 1779,† Cowper moved, on the part of Cole, who had formerly been an attorney of the King's Bench, and had at his own desire been struck off the roll, and was then called to the bar, *that he might be again put on the roll of attorneys*. The court refused to comply with the application, there being no instance of a barrister being admitted an attorney: they said he ought first to have applied to the society to be *disbarred*.

But a barrister disbarred for misconduct, will not be allowed after his expulsion to practise as an attorney, even though he had previously to his call to the bar been admitted as an attorney.

## APPEAL.

Where any of the Inns of Court refuses to call a member to the bar, expels him from the society, or deprives him of his gown by disbarring, an appeal lies to the judges as visitors.

In the year, 1781, William Hart, whom the benchers of Gray's Inn had refused to call to the degree of barrister, appealed to the twelve judges,‡ and on the

\* *Ex parte Warner*, 6 Jur. 1016.      † 1 Doug. 113.

‡ 1 Doug. 356.



15th of November in that year, was heard by his counsel, Morgan and Lind. His petition was accompanied by an affidavit. At the same time a certificate was laid before the judges from the treasurer and benchers of Gray's Inn, in which they set forth that they had not refused to call him to the bar merely because he had been discharged by an insolvent act (although they stated that the Society of Lincoln's Inn had been of opinion that that was a sufficient cause) but because it appeared to them from a memorial of his own (which he had also laid before the judges) that he had knowingly become security for money borrowed by others to a much greater amount than he was able to answer, and for other circumstances of his life mentioned or alluded to in the certificate. The judges were unanimous in dismissing the petition.

The facts of Harvey's case, in which there was an appeal to the judges on the refusal of the benchers of the Inner Temple to call him to the bar, have been already fully stated.

In Boorman's case in Hilary Term, 17 Charles I., it was decided by the King's Bench that the ancient and usual course of redress for any grievance in the Inns of Court was by appeal to the judges:—"Boorman was a barrister of one of the Temples, and was expelled the house, and his chamber seized for non-payment of his commons, whereupon he by Newdigate prayed his writ of restitution, and brought the writ, in court ready framed, which was directed to the benchers of the

said society; but it was denied by the Court, because there is none in the Inns of Court to whom the writ can be directed; because it is no body corporate, but only a voluntary society, submitting to government, and they were angry with him for it that he had waived *the ancient and usual course of redress for any grievance in the Inns of Court which was by appealing to the judges*, and would have him do so now."

The following are the facts of Savage's case,\* brought before the judges, on appeal in the year 1780:—

"The first day of Hilary Term an appeal of one, Maurice Savage, against an order of the benchers of Lincoln's Inn, which rescinded an order for his call to the bar, made about four or five days before, on the ground of misrepresentation or surprise, was heard by all the judges, except Chief Justice De Grey, in Serjeants' Inn Hall. He had been a member of the Middle Temple nine or ten years, had kept and paid for his commons, and performed all his exercises there; and, in 1772, was proposed by a master of the bench, the first Parliament in the term, to be called to the bar; (the course in that house being to hold a parliament on the first and last Friday in every term, the person to be proposed at the first, and called to the bar at the last parliament;) but he waived that proposal, and, in Trinity Term last, petitioned to have the proposal

\* 1 Doug. 355, from Mr. Justice Gould's MS. note.

revived, but the bench refused it, and no master of the bench would propose him again. On Saturday (as the term ended on Wednesday) he had a certificate, from the under-treasurer of the Middle Temple, of his keeping and paying for commons, and performing his exercises, which he carried to the under-treasurer of Lincoln's Inn that Saturday, paid his fees of admission in that society, and the Tuesday following was called to the bar there, and next day took the oaths to government in Westminster Hall. But he did not disclose to the under-treasurer of Lincoln's Inn what had passed in the Temple. The society of Lincoln's Inn hearing of this matter, issued a summons to him to appear, three days after, to shew cause why his call to the bar should not be vacated, and, after hearing him four days afterwards, annulled the call to the bar as irregular, and obtained by surprise. The judges being attended by the treasurers of the two societies, and examining the under-treasurers of each, (not upon oath, for they proceeded as visitors,) and the above circumstance fully appearing, and after hearing Savage in support of his appeal, who did not examine any one to vary the facts, declared their opinion, that the call to the bar, appearing to have been obtained by surprise, and the bench of Lincoln's Inn having proceeded immediately to annul it, the appeal should be dismissed."

The proceedings in a case which was heard on

appeal in Serjeants' Inn Hall, June, 1845, were conducted in a similar manner.

A. Hayward, Esq., a barrister of the Inner Temple, having been created one of her Majesty's Counsel, and feeling aggrieved at not being called to the bench of this house, where Queen's Counsel have usually been raised to the dignity of benchers, appealed to the judges as visitors of the Inns of Court in support of his claim to be called to the bench; who, after elaborate arguments in Serjeants' Inn conducted for the appellant by Sir Thomas Wilde, and Mr. Merivale, and afterwards by Mr. Serjeant Talfourd and Mr. Merivale, and for the respondent, first by Sir Charles Wetherell, and then by Sir Frederick Thesiger, delivered the following judgment:—

“ The judges who heard this petition argued, in the exercise of their general visitorial power, think it right to declare their unanimous opinion that the Benchers of the Inner Temple have the right to determine,—first, whether they will add to their number by any new election;—and, secondly, which of the Members of the Bar belonging to their Society they will elect to call to the Bench.

The judges, therefore, are all of opinion that the petitioner had no inchoate right to be called to the Bench; but they all think that the mode of election,\* by which a single black ball\* will exclude, is unreasonable; and

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\* At a very full assemblage of the benchers held in Hilary Term, 1847, it was unanimously resolved that henceforth no one shall be elected to the bench of the Inner Temple, unless he obtain the votes of a majority of the existing benchers, and that four black balls shall be sufficient to exclude.

they strongly recommend the Benchers of the Inner Temple, in future, to conduct their elections to the Bench on some more satisfactory principle.

(Signed)

|                 |              |
|-----------------|--------------|
| DENMAN.         | R. M. ROLFE. |
| F. POLLOCK.     | W. WIGHTMAN. |
| J. PARKE.       | C. CRESWELL. |
| E. H. ALDERSON. | W. ERLE.     |
| J. PATTESON.    | T. W. PLATT. |
| T. COLTMAN.     |              |

## CHAPTER XII.

## DEGREES IN THE INNS OF COURT.

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STUDENTS.

GENTLEMEN preparing for the bar from this class, while keeping their terms, usually enter the chambers of special pleaders, equity draughtsmen, or conveyancers, where they acquire experience in the actual practice of the law. They have, at all periods of the year, access to the libraries of their several Inns, and are now required to attend courses of lectures in the halls of the societies, on the principles of the common law or the civil law. In the Middle Temple lectures are delivered on *the Roman Law and Jurisprudence*; in Gray's Inn on the law of *Real Property, Conveyancing, Devises, and Bequests*; in the Inner Temple on *the Principles of the Common Law*; in Lincoln's Inn on *Equitable Jurisprudence as administered in the Court of Chancery*. They cultivate their rhetorical powers and practise legal argument at forensic societies, the meetings of which are held in the hall of one of the Inns of Chancery. In the hall of the Inns of Court they wear a black gown,

without hood or sleeves, and dine below the bar table. Any student, on application to the steward or under-treasurer of the society to which he belongs, can have a certificate of his being a member of an Inn of Court, which will entitle him to a seat in the students' box at Westminster Hall, the Central Criminal Court, and the Courts at the Guildhall.

#### SPECIAL PLEADERS, ETC.

Permission to take out a certificate\* as a special pleader, conveyancer, or draughtsman in equity, is given at the discretion of the bench to members who have kept such commons as are required to be kept to qualify them to be called to the bar. Large numbers thus practise under the bar in their chambers before their call; and many continue in these departments of the profession five, ten, or twenty years. The commissioners on courts of common law describe special pleaders as a body of persons whose prosperity is of great importance to the general interests of the profession, and the science of the law itself. In the halls they wear the same dress as students, and dine below the bar table.

\* By the 55 Geo. III. c. 184, the certificate of a special pleader, draughtsman in equity, conveyancer, or any person who for fee or reward, shall draw or prepare any conveyance or deed, or any proceeding in law or equity, residing in London, or within the limits of the two-penny post, or in the city of Edinburgh, is charged with the yearly duty of 12*l.*; in any other part of Great Britain, 8*l.*; and by doing any such act without a certificate, a penalty of 50*l.* is incurred.

## BARRISTERS.

The degree of Barrister-at-law or Counsellor, is conferred on students of sufficient standing who have complied with the rules and regulations of the Inn, whose call has been proposed and seconded by two masters of the bench and whose qualifications are approved of by the benchers. The meeting of the bench, at which such call takes place, is termed, in the Temples a Parliament, in Lincoln's Inn a Council, and in Gray's Inn a Pension. Utter-barristers and Readers in Court are described in the orders of Lord Chancellor Clarendon, and the Judges in the reign of Charles II., as 'the principal persons next to Serjeants and Judges in the administration of justice:' they have *officium ingenii*,\* and rank as esquires.†

One of the most important privileges of a barrister, and one essential to the due administration of justice, is unfettered freedom of speech. No action ‡ for defamation will lie against a barrister for words, spoken by him as counsel in a cause, *pertinent to the matter in issue*. But he is not privileged to travel out of the case, and gratuitously utter slander.§

A barrister is, also, it seems, privileged from arrest whilst in attendance on the superior courts, and on circuit.

\* 2 Inst. 564.

† 1 Wils. 244.

‡ Wood v. Grimstone Styles, 462; Foote v. Hayne; 4 Barm. and Cres. 478; Needham v. Dowling; *Nisi prius* C. P. June, 1845.

§ Brook v. Montague, Cro. Jac. 90; Hodgson v. Scarlett, 1 Barn. and Ald. 232.



By the 6 Geo. IV., c. 50, 12, practising barristers are exempted from serving on juries; and by the 5 and 6 Vict., c. 109, s. 6, they are exempted from serving as parish constables.

The barristers sit according to seniority at the bar table in the halls of the Inns of Court; and wear gowns\* similar to those in which they appear in open court.

In Bateman's case† it was decided by the full court that a barrister cannot serve as an articled clerk for the purpose of being admitted an attorney, without first being disbarred. Lord Denman, in delivering the judgment of the court made the following remarks:—"It appears to me that the danger of sanctioning such a combination of offices is great and manifest, and however much we may regret the loss and inconvenience to which our determination may subject this gentleman, it is our duty to see that no connection should exist between the two branches of

\* October, 1602. Mr. Kempe, in the King's Bench, reported that in "tymes past the Counsellors wore gownes faced with satten, and some with yellowe cotton, and the Benchers with jennett furre—nowe they are come to that pride and fantastickness that every one must have a velvet face and some fur, tricked with lace; that Justice Wray, in his tyme, spoke to such an odd Counsellor, in this manner—*Quomodo intrasti, domine, non habens vestem nupcialem*,‡ get you from the barr, or I will put you from the barr, for your foolish pride."—*Templar's Diary*.

† 2 Dowl. and L. 725.

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‡ Why hast thou entered in, not having on a wedding garment?—Luke.

the profession, which would be likely to lead to any malversation in either. I think that the observations which have been made by the Solicitor-General,\* regarding the abuse which might arise from a person being a barrister, at the same time he was serving under articles of clerkships to an attorney, are entitled to the greatest weight; such abuses are obvious and considerable. And further, it is clear, that a person who has been placed in such a position as the applicant, and who, at the end of the service, may wish to continue at the bar, would acquire by his preceding position the most unfair and improper advantages. The case which approaches the nearest to the present, is that of *Ex parte Cole*, and that case seems to afford a strong argument *à fortiori* against the present application; for if a barrister ought not to become an attorney whilst he continues a barrister, with much less propriety can he become an attorney's clerk."

## BENCHERS.

The Benchers, or Masters of the Bench, are the seniors of the four houses entrusted with their government and direction, and from among their number in each Inn is a treasurer † yearly chosen. In the

\* Sir Frederick Thesiger.

† "As the office of treasurer is an efficient and important one, and such as requires the regular attendance of the treasurer for the time being, that with a view to secure such attendance in future, no person shall be eligible for that office who has not kept two of the four terms next preceding the day of election."—*Black Book Lincoln's Inn*.

orders of the Lord Chancellor and all Judges, in the 16 Car. II., repeating the orders of the 12 Jac., and 6 Car. I., it is ordained "For that all government is strengthened or slackened by the observing or neglecting of the reverence and respect which is to be used towards the governors of the same, therefore it is required that due reverence and respect be had by the utter-barristers and younger sort of gentlemen, to the Readers, Benchers, and Ancients of either house." They also direct, "That the Innes of Chancery shall hold their government subordinate to the Benchers of every of the Innes of Court to which they belong, and that the Benchers of every Innes of Court make laws for governing them, as to keeping commons, and attending and performing exercises according to former usage. And in case any attorney, clerk, or officer, of any court of justice, being of any of the Innes of Chancery, shall withstand the directions given by the Benchers of the court, upon complaint thereof to the Judges of the court in which he shall serve, he shall be severely punished, either by forejudging from the court, or otherwise, as the case shall deserve." Benchers were to be chosen for their "learning, honest behaviour, and good disposition," and were to be "such as for their experience be of the best note and ability to serve the kingdom."

No member of the bar acquires by seniority a right to be elected a Benchers. The following is a decision on this point.

Memorandum, Gray's Inn, 25th January, 1689.\* Upon an appeal brought by John Try, Esq., an ancient of this society, before the judges that had been members thereof, suggesting that he had been pretermitted in two several calls to the bench, wherein several of his puisnes had been called, and that he had thereupon petitioned in pension for his call thereto, and his petition was rejected, so that he was only relievable before their lordships the Lord Chief Justice Holt, Mr. Baron Neville, Mr. Justice Gregory, and Mr. Baron Turton, assembled at his lordship's chamber in Serjeants'-inn, in Chancery Lane, and Sir William Williams, and most of the bench attending upon notice to justify what they had done, and insisting upon it that it was an inherent right in the bench to judge who was fitting to be called to the bench, and who not, the appellant read the said orders of pension and petition and appeal; and after both sides were fully heard, and after long debate of the matter, and that the appellant had insisted that cause might be assigned against his call, and the said benchers then present had refused to assign any cause, in regard they did allege they were themselves judges who were fitting to be called to the bench, his lordship was pleased to declare that the call to the bench was not matter of right in any person, but was in point of government only, and that it was discretionary; and both persons and time ought to be left to the judgment of the bench in whom the government of the

\* Book of Orders, Gray's Inn, 1666 to 1730, fol. 305.

said society resided, and that unless the appellant had been called and then disbenched, no cause need to be assigned why the bench refused the appellant. And then the rest of the judges *seriatim* delivered their opinions to the like effect; and thereupon the said appeal was dismissed, and the benchers did absolutely refuse to call him the said appellant to the bench.”

In the case of Mr. Hayward, of the Inner Temple, the judges decided on appeal, January, 1847, that a member of the bar acquires no legal right by being made a queen's counsel to be elected a bencher.

#### SERJEANTS.

Of the great antiquity of the degree of Serjeant-at-law we have already spoken. It is the highest degree attainable in the faculty of law; and it forms an indispensable qualification for a seat on the judicial bench.\*

Of the estate and degree of a Serjeant-at-law, and how he is created, Fortescue† gives the following account:—“But for so much as you desire to know, most gracious prince, for what cause the degrees of bachelors and doctors are not given in the laws of England, as they are accustomedly given in both laws within universities, your majesty shall understand, that though these degrees are not given in the laws of England, yet there is given in them, not a degree only, but also a state, no less worship-

\* ‘*Mirroir.*’ 1 Rep. Com. L. Com. † *De Laudibus*, &c., chap. 1.

ful and solemn than the degree of doctor, which is called the degree of a Serjeant-at-law; and it is given under the manner and form following: The Lord Chief Justice of the Common Bench, by the common counsel and assent of all the justices, useth, as oft as he thinketh good, to choose seven or eight of the discreetest persons that, in the foresaid general study, have most profited in the laws, and which, to the same justices, are thought to be of best disposition, and their names he presenteth to the Lord Chancellor of England, in writing, who, incontinent, by virtue of the king's writ, shall charge every of the persons elect to be before the king at a day by him assigned, to take upon him the state and degree of a Serjeant-at-law, under a great penalty in every of the said writs limited; on the which day, every one of them appearing shall be sworn, upon the holy Gospel of God, to be ready at the day and place then appointed, to receive the state and degree aforesaid, and that he, the same day, shall give gold, according to the custom in that behalf used. When the day appointed is come, those elect persons, among other solemnities, must keep a great dinner, like to the feast of a King's Coronation, which shall continue and last by the space of seven days; and none of those elect persons shall defray the charges growing to him, about the costs of this solemnity, with less expenses than the sum of four hundred marks, so that the expenses which eight men, so elect, shall then bestow, will surmount to the sum of three

thousand marks. Of the which expenses, one parcel shall be this. Every of them shall give *rings of gold*, to the value of forty pounds sterling at the least: and your chancellor well remembereth that, at what time he received this state and degree, the rings which he then gave stood him in fifty pounds. They give also liveries of cloth, of one suite or colour, in great abundance, not only to their household many, but also to their other friends and acquaintance, which, during the time of the foresaid solemnity, shall attend and waite upon them. Wherefore, though in the universities, they that are promoted to the degree of doctors, do sustain no small charges at the time of their commencement, as in giving of bonnets and other rich gifts, yet they give no gold, nor do bestow any other gifts or costs like unto these expenses. Neither in any country of the world is there any speciall degree given in the laws of the same land, but only in the realm of England. Neither is there any man of law throughout the universal world which, by reason of his office or profession, gaineth so much as one of these Serjeants. No man also, be never so cunning and skilfull in the laws of the realm, shall be exalted to the office and dignity of a Justice in the Court of Pleas, before the king, or in the Court of the Common Bench, which are the chief ordinary courts of the same realm, unless he be first promoted to the state and degree of a Serjeant-at-law. Neither shall any then, but only such a Serjeant, plead in the

Court of the Common Bench,\* where all real actions are pleaded. Wherefore, to this state and degree hath no man been hitherto admitted, except he hath first continued, by the space of sixteen years, in the said general study of the law, and in token or sign, that all justices are thus graduate, every of them always, while he sitteth in the king's court, weareth a white coif of silk, which is the principal and chief insinment of habit, wherewith Serjeants-at-law in their creation are decked: and neither the justice, nor yet the Serjeant, shall ever put off the coif; no, not in the king's presence, though he be in talk with his majesties highness."

In the chapters devoted to the Inner and Middle Temples, examples have been given of the formalities observed in those Inns in ancient times on the call of any gentlemen to the degree of serjeant. In Lincoln's Inn, on the day appointed for taking the degree, the treasurer and masters of the bench meet the serjeant-elect at a breakfast in the council chamber; from whence he is conducted by the chief porter to the lower end of the hall, where he waits till the treasurer and benchers arrive at the upper end; he then approaches and acquaints them that by writ which he holds in his hand, he is commanded by her majesty to take upon him the degree of

\* By the 9 and 10 Victoria, c. 54, the Court of Common Pleas was opened to all Barristers, and the exclusive audience of Serjeants in that court, which had prevailed for upwards of six hundred years, was abolished.



Serjeant-at-law, and in an appropriate speech he expresses his regret on quitting the Society. The treasurer or (in his absence) the senior benchers replies to him; and on taking leave presents him with a gold or silver net-purse containing ten guineas. He is then, as it is termed, rung out of the society by the toll of the chapel bell; and it is customary for some of the benchers to attend him to Westminster Hall, where he goes through the ceremony of taking the coif. In Gray's Inn the ancient customs are observed with more strictness:—

Michaelmas Term, 1700,\* there was a call of serjeants, and the four gentlemen undermentioned went from Gray's Inn, viz.:

BURY, THOS.

AGAR, LAURANCE.

HOOKE, JOHN.

SMITH, JOHN.

The four new serjeants who were to go from this house, sent to the bench to desire eight of them to be at the Treasury chamber in the Exchequer on the 30th of October in the morning, to present the new serjeants to the Lord Keeper, and they went accordingly. On the 5th of November the bench sent to know what time the serjeants would be pleased to come into the hall, and at the same time invited them to supper after they had taken their leaves of the house. The serjeants came into the library where the bench were met, who accompanying the serjeants down into the hall, where Mr. Bury, the eldest in the behalf of

\* *Ex Regist. Gray's Inn.*

the rest, took his leave of the house, and was answered by Mr. Warner South; when done they were invited by the bench into the library to the collation. The next day, being the 6th of November, the cavalcade from the rest of the Inns of Court in their formalities with their new serjeants, and the gentlemen of all the Inns of Chancery came into the hall. The two Chief Justices, and the rest of the judges, were in the library, the old and new serjeants in Mr. Peere Williams's chamber, and the benchers of the other Inns of Court were in Mr. Ling's chamber; there were four bottles of sack, and a dish of biscuits in each room; there were sent in by the new serjeants two runlets of brewed wine, and three boxes of sweetmeats; about ten o'clock they all came down from the library into the hall, where the Lord Chief Justice Holt performed the ceremony of coifing the serjeants. About twelve o'clock they set out from the hall to Westminster. The warden of the Fleet's men went first, then the other officers of the Inns of Chancery according to their seniority, then the officers of the Middle Temple and Lincoln's Inn, then the officers of the Inner Temple and Gray's Inn."

In Michaelmas Term, 1772, great formalities were observed in Gray's Inn Hall, on Sir James Eyre's taking the coif on his appointment as one of the puisne Barons of the Exchequer. Sir James, according to the ancient custom of this house, was presented with a purse of ten guineas.

The new Serjeant having taken leave of the Society

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takes up his residence in Serjeants' Inn, where the judges and serjeants form one community.\*

The oath taken by a serjeant-at-law is given by Coke in the following words:—

1. That he shall well and truly serve the king's people as one of the Serjeants-at-law.

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\* The following is a memorandum of the last Serjeants' feast in Gray's Inn. November 11th, 1845.—This day Robert Allen, Esq. took leave of the society on his being called to the degree of Serjeant-at-law. Pursuant to notice posted in the hall, the learned Serjeant entertained the Benchers, Barristers, and students, with a sumptuous breakfast. At nine o'clock, the chapel bell was tolled; and shortly afterwards the members took their seats. The breakfast consisted of various kinds of game and meats, tea, coffee, &c.; fruit, followed by spiced wine, served up in large bowls. Two tables were laid for the Ancients of Barnard's Inn and Staple Inn. The learned Serjeant breakfasted in the Benchers' Room, with the Benchers. As soon as breakfast was concluded, Mr. Serjeant Allen entered the hall, preceded by the mace-bearers, and followed by the Benchers, and all the officers of the society. The Barristers and Students immediately rose and received the Serjeant with loud clapping of hands. Mr. Serjeant Allen, accompanied by the Treasurer and Benchers, walked round the hall, bowing to the members. He wore a full-bottomed wig; and the state dress of a serjeant, a purple cloth gown, a hood of crimson cloth, and white kid gloves. Having taken his stand at the head of the bar table, and the Treasurer and Benchers having taken up their position, on the *dais*, Mr. Serjeant Allen addressed the society in a short speech. He expressed his feeling of deep and lasting gratitude to the society; they had called him to the bar, and to their favour he owed his advancement in his profession. To Gray's Inn—his *alma mater*—he owed everything; and he should continue to watch over its interests and fame to the latest moments of his life. He alluded

2. That he shall well and truly counsel them that he shall be retained with after his cunning.
3. That he shall not defer, tract, or delay their causes willingly for covetousness of money, or other thing that may tend to his profit.
4. That he shall give due attendance accordingly.

The following anecdote from Mod. Rep. 9, relative to the *rings* given by serjeants on their call shews the

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to the escutcheons and memorials of illustrious men, which adorned the walls of their venerable hall, and trusted that the Honourable Society of Gray's Inn would long continue to be a nursery of eminent men. He passed a warm eulogium on the Benchers: they had hitherto been his fathers; henceforth he hoped to account them his friends. With feelings of deep regret he took leave of the society, and expressed his gratitude for the expression of kind feeling with which he had been honoured by the members. The Treasurer, (Thomas Greene, Esq., of Whittington Hall, Westmoreland, M. P. for Lancaster, and Chairman of Committees to the House of Commons,) then addressed Mr. Serjeant Allen, in the name of the society; he congratulated him on his attaining the degree of Serjeant-at-law, alluded to the happiness of their meeting on that occasion, and exhorted all the members to endeavour to imitate the actions of the illustrious characters who had been members of this house. He addressed the Barristers and Students with much cordiality, and expressed a hope that every member would feel a laudable zeal for the welfare of their Inn. The Treasurer was loudly applauded. The Treasurer then in the name of the society, presented to Mr. Serjeant Allen, a purse containing 10*l.*, in sovereigns, as a *retaining fee*, according to the ancient custom of the Inn. Mr. Serjeant Allen, then, accompanied by the Benchers, proceeded down the hall, and arriving at the door, bowed, and took his leave. He was loudly cheered on his departure. The Benchers, on their return through the hall, were warmly applauded by the Barristers and Students. The company then left the hall.

importance which was formerly attached to every proceeding connected with the state and degree of *serviens ad legem*: —“Seventeen serjeants\* being made the 4th of November, 21 Car. II., Serjeant Powis, one of the new made serjeants, coming a day or two after to the King’s Bench bar, Chief Justice Keeling told him he had somewhat to say to him, viz. that the *rings which he and the rest of his brethren had given weighed but 18s. a piece*, whereas Fortescue says, in his book *De Laudibus Legum Angliæ*, that the rings given to the Chief Justices and Chief Baron ought to weigh 20s. a piece; and that he spake not this expecting a recompense, but that it might not be drawn into a precedent, and that the young gentlemen there might take notice of it.”

The bands which are worn by serjeants and counsel are of great antiquity. They were adopted from the clerical costume by the early lawyers, and by the clergy had been copied from the Jewish priests, who wore them as *representations of the two tables of the law*. Burn† expresses an opinion that bands were adopted by the English clergy in imitation of the Nonconformist divines; but this would scarcely account for their being worn by the Roman Catholic clergy of this kingdom as well as continental countries. Fortescue, describing the costume of a serjeant, says he is “cloathed in a long robe, priest-like, with a furred cape about his shoulders, and thereon a hood

\* The celebrated Scroggs was one of the number.

† Ecclesiastical Law.

with two labels, such as Doctors of Laws wear in certain universities with the above described coife."\*

The proper dress of a serjeant is a violet coloured robe, with a scarlet hood, such as the judges wear when they sit at the Central Criminal Court, but without the black scarf. When the serjeants go to St. Paul's Cathedral on the first Sunday in Easter Term according to the ancient custom, they wear scarlet robes, and on circuit they wear black silk gowns. In the orders of 1635 relative to the costume of the judges it is said: "When the judges go to any reader's feast they go upon the Sunday or holiday in scarlet, upon other days in violet with scarlet casting hoods, and the serjeants go in violet with scarlet hoods."

### SERJEANTS' INN.

It was noted in former times, as an example of the high estimation in which the state and degree of serjeant was held, that the judges of this country never assumed a higher title for the Inn in which they lived in fellowship, after taking leave of their

\* Le inception del wearing del coifes p le seruientis al ley fuit quia in initio fueront fryers et p ceo fuit a couer lour bald pates vid Sir Henry Spillman. The coyf is in similitud of a salet or headpeic, signifies that a saluted soldier ought to be bold in warr So ought they in ther clients causes. It signifies also an honour. The uncovering of the head being a badge of servise. Spell. Gloss. voce coifa vid. Wakes musæ regnantes.—Harl. MSS. 980 p. i.

respective Inns of Court, than that of 'Serjeants' Inn.\* There were formerly three Inns for the reception of judges, and such as had attained the dignity of the coif, Scroop's Inn, or Serjeants' Place, opposite St. Andrew's Church, Holborn, Serjeants' Inn, Fleet Street, which was held by lease under the Dean and Chapter of York, now disused as an Inn for serjeants, and Serjeants' Inn, Chancery Lane, formerly called 'Faryndon Inn,'† the only place that can now, with propriety, be termed Serjeants' Inn.

This Inn is situated in Chancery Lane, out of which there is an entrance into Clifford's Inn. The old *façade* of Serjeants' Inn Hall was much admired.

In 17 Richard II., we find mention is made of this house, the inheritance whereof belonged to the Bishop of Ely; at which time it was called *Tenementum Domini John Skarle*, and was let, by the bishop's appointment, to one of the six clerks of the Chancery as appears by the bailiff's account to the then bishop.—In 1411, 12 Henry IV., it was called *Faryndon Inne*, and it appears that the serjeants-at-law had lodgings here at that time.

In 1417, 7 Henry V., the whole house was demised to the judges and others learned in the law; and

\* Case of the Serjeants, 8 Scott, 430. See 1 Lord Raymond, 604. 'Manning's Serviens ad Legem;' Dug. 'Chronica Series.' See 9 and 10 Vict. c. 54.

† So called after Robert Faryndon, 'Clericus dom. regis.' 5 Hen. IV., anno 1404; whose name is perpetuated in the modern Farringdon Street and Market.

there is accounted to the bishop 6*l.* 13*s.* 4*d.* "Pro Faryndon's Inne in Chancery Lane, dimisso Rogero Horton et Willielme Cheney, justiciariis, et Waltero Askham, apprentisio legis."

Dugdale was of opinion that the judges and serjeants were not constant tenants to the bishops in those days for this house, for in the year 1425, 3 Henry VI., these are the words of the bailiff's account, "Hospicium in Chancellor's Lane stetit inoccupatum per totum annum circa reparationem ejusdem, et contra annum sequentem dimittitur F. Martyn and Jacobo Strangwiz, et T. Rolfe, justiciariis ad 5*l.*" In the year 1430, 9 Hen. VI., we find it described as Hospicium Justiciariorum. Ten years afterwards the inn was demised to John Hody "et aliis servientibus legis," for the rent of 5*l.* per a<sup>m</sup>.<sup>\*</sup> In the year 1474, 14 Edw. IV., it was let to Sir Robert Danby, then Chief Justice of the Common Pleas and others at 4*l.* per a<sup>m</sup>. In 1470, Sir Thomas Grey occupied it, and in 2 Rich. III., the same Sir R. Grey had a new lease of the premises, by the name of "Hospicium vocatum *Serjeants' Inne*, Chancellor's Lane," at 4*l.* per a<sup>m</sup>. In the last year Hen. VII., it was demised by indenture under the same name to John Mordaunt and Humphrey Coningsby king's Serjeants-at-law, for 4*l.* per a<sup>m</sup>.

\* This may be a convenient place to remind the reader that 40*s.* in the reign of Hen. VI., has been computed to be equal to 12*l.* in the reign of Queen Anne.



In 2 Edw. VI., T. Goodrick, then Bishop of Ely, "by a lease, bearing date the 17th of December, demised the Inn to Christopher Fulnetby, his brother-in-law, for eighty-one years; which lease coming by mean assignment, to Sir Anthony Ashley, knight, and then, by surrender, to Bishop Felton, that bishop granted it to the said Sir Anthony, for three lives, (viz. of Phil., then his wife, since married to Carey Rawley, Esq., and two of his servants,) under whom the judges and serjeants do now hold it."\*

The hall, to which the ascent was formerly by a handsome flight of steps, is about sixteen yards long, by nine broad. In the great window, over the principal entrance, are several coats of arms, in stained glass, of gentlemen who have belonged to the Inn. The opposite window, at the further end of the hall, is likewise decorated with coats of arms.

During term time, the judges and serjeants, as members of the society of Serjeants' Inn, dine together. Out of term, the hall is frequently used as a place for holding the revenue sittings of the Court of Exchequer, and in this hall the judges sit as visitors of the Inns of Court, when any question is brought before them on appeal.

\* Dugdale.

THE END.

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